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Washington, Tuesday, July 3, 1945

The President

EXECUTIVE ORDER 9576

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE ERIE RAILROAD COMPANY AND ITS EMPLOYEES

WHEREAS a dispute exists between the Erie Railroad Company, a carrier, and certain of its employees represented by the Brotherhood of Railroad Trainmen, labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the states of Illinois, Indiana, Ohio, Pennsylvania, New York and New Jersey to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Erie Railroad Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 28, 1945.

[F. R. Doc. 45-11734; Filed, June 30, 1945;
2:18 p. m.]

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations affected by documents appearing in this issue, follows the table of contents.

EXECUTIVE ORDER 9577

TERMINATING THE WAR FOOD ADMINISTRATION AND TRANSFERRING ITS FUNCTIONS TO THE SECRETARY OF AGRICULTURE

By virtue of the authority vested in me as President by the Constitution and laws of the United States, including Title I of the First War Powers Act, 1941 (55 Stat. 838), it is ordered as follows:

1. The War Food Administration and the office of War Food Administrator, established by Executive Order No. 9334 of April 19, 1943, are hereby terminated.

2. The functions, duties, and powers of the War Food Administrator, including but not limited to those vested in the Administrator by Executive Orders No. 9334 of April 19, 1943,¹ as amended, No. 9385 of October 6, 1943,² No. 9401 of December 7, 1943,³ No. 9418 of January 29, 1944,⁴ and No. 9534 of April 3, 1945,⁵ are hereby transferred to, and shall be exercised and performed by, the Secretary of Agriculture.

3. The records, property, personnel, funds, and agencies of the War Food Administration are hereby placed under the jurisdiction and control of the Secretary of Agriculture. The agencies of the War Food Administration shall, consistent with applicable law, be organized and administered in such manner as the Secretary of Agriculture may deem desirable.

4. The Secretary of Agriculture shall have, and may exercise to such extent and subject to such conditions as he shall determine, (a) all powers of delegation vested in the War Food Administrator, including but not limited to those speci-

¹ For the text of Executive orders referred to herein see 3 CFR Cum. Supp., 8 F.R. 13783, 9 F.R. 1073, 10 F.R. 3667.

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Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at \$3.00 each.

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fied in paragraph 9 of Executive Order No. 9280 of December 5, 1942,¹ and (b) the authority to confer upon any person or persons to whom he may make delegations hereunder, the power to make further delegations to any person or persons in the Department of Agriculture.

5. All orders, directives, rules, and regulations relating to any matter within the scope of the authority of the War Food Administrator which are in effect on the effective date of this order shall continue in full force and effect unless and until modified or revoked by the Secretary of Agriculture or at his direction or under his authorization.

6. All prior Executive orders in conflict with this order are hereby amended to the extent of such conflict.

7. This order shall take effect at the close of business on June 30, 1945.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 29, 1945.

[F. R. Doc. 45-11735; Filed, June 30, 1945;
2:13 p. m.]

¹ For the text of Executive orders referred to herein see 3 OFR Cum. Supp., 8 F.R. 13783, 9 F.R. 1073, 10 F.R. 3667.

EXECUTIVE ORDER 9577A

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE TEXAS COMPANY LOCATED IN AND AROUND PORT ARTHUR, TEXAS

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Texas Company, located in and around Port Arthur, Texas, are equipped for the production of crude oil and its products that are required for the war effort, or that are useful in connection therewith; that there is a real, substantial, and immediate emergency in the form of a threatened interruption of the operation of the plants and facilities as a result of a labor disturbance; that the immediacy and extent of the emergency will not permit of further delay without irreparable damage to the war effort; that the war effort will thereby be unduly impeded or delayed for an indefinite period by an interruption however brief; that the productive efficiency of the plants and facilities is impaired by reason of the labor dispute; and that the exercise hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Texas Company, located in and around Port Arthur, Texas, and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Texas Company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Petroleum Administrator shall observe the provisions of the War Labor Disputes Act in the operation of the plants and facilities.

3. The Petroleum Administrator is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and upon the request of the Petroleum Administrator, or such person as

may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. All Federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this Order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this Order shall be terminated by the Petroleum Administrator within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruption of production, referred to in the recitals of this Order, has been restored.

6. The Petroleum Administrator may delegate any and all power, authority, and discretion conferred upon him by this Order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Petroleum Administration for War as they may determine.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 1, 1945.

[F. R. Doc. 45-11810; Filed, July 2, 1945.
11:13 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C.C.C. Cotton Form 2]

PART 256—COTTON LOANS

SUBPART—1945

Commodity Credit Corporation will make loans available to eligible producers on eligible cotton of the 1945 crop harvested prior to the beginning of the regular 1945 cotton loan program. These instructions state the requirements of Commodity Credit Corporation with reference to such loans.

Sec.	
256.21	Definitions.
256.22	Forms.
256.23	Amount.
256.24	Classification of cotton.
256.25	Preparation of documents.
256.26	Certification of producer.
256.27	Approved warehouses.
256.28	Warehouse receipts.
256.29	Warehouse charges.
256.30	Liens.
256.31	Time and manner of tendering loans for purchase.
256.32	Lending agency.
256.33	Repayments.

AUTHORITY: §§ 265.21 to 265.33, inclusive, are issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C. 1302).

§ 256.21 *Definitions.* As used in this subpart, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* An eligible producer shall be any person (individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision), producing cotton in 1945 in the capacity of landowner, landlord, tenant, or sharecropper. Except as provided below, two or more producers may not obtain a joint loan. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, each landlord, tenant, and sharecropper, may obtain a loan on his separate share. If the cotton has not been divided, the landlord, and one or more of the share tenants or sharecroppers may obtain a joint loan on their shares of such cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which the landlord has an interest. In any case where a landlord obtains a loan on cotton in which a share tenant or sharecropper has an interest, he must have the legal right to do so, and the share tenant or sharecropper must be paid his pro rata share of the proceeds.

(b) *Eligible cotton.* Eligible cotton shall be produced in 1945 by or for an eligible producer: *Provided*, That the cotton meets the following requirements:

(1) Such cotton must be of a grade and staple specified in the table of premiums and discounts attached hereto.

(2) Such cotton must be represented by warehouse receipts complying with the provisions of § 256.28.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must be free and clear of all liens and encumbrances, except those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in 1945 C.C.C. Cotton Form M (hereinafter referred to as "Form M").

(5) Such cotton must be tendered for a loan by a person who has the legal right to pledge it as security for a loan.

(6) If the person tendering such cotton for a loan is a landlord, or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent and, if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and a share tenant or sharecropper have an interest.

(7) Each bale of such cotton must weigh at least 300 pounds.

(c) *Lending agency.* A lending agency shall be any bank, corporation, partnership, association, or person, who has executed a Lending Agency Agreement (C.C.C. Cotton Form N) covering loans on cotton of the 1945 crop.

(d) *Eligible paper.* Eligible paper shall be a Form M, duly executed, after June 1, 1945, and prior to September 1, 1945. State documentary revenue stamps should be affixed thereto where required by law. (A Form M executed by an administrator, executor, or trustee, will be acceptable only where valid in law

and must be submitted for a direct loan by Commodity Credit Corporation unless accompanied by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the Regional Office of Commodity Credit Corporation, New Orleans 12, La.)

§ 256.22 *Forms.* The following documents must be delivered by the lending agency upon tender of notes to Commodity Credit Corporation for purchase:

(a) Form M complying with the provisions of § 256.21 (d).

(b) Warehouse receipts complying with the provisions of § 256.28.

(c) Lending Agency's Letter of Transmittal (C.C.C. Cotton Form O).

§ 256.23 *Amount.* The base loan rate applicable at each approved warehouse will be shown in a "Schedule of Base Loan Rates by Cities and Counties for Cotton Entering the 1945 Interim Cotton Loan" issued for this program by Commodity Credit Corporation. Premiums and discounts applicable to each grade and staple length are shown in the table below. Loans will not be made on grades or staple lengths of cotton not shown in such table. All loans will be made on the gross weight of the lint cotton, and an allowance of 7 pounds will be made for each bale wrapped in cotton bagging.

§ 256.24 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the War Food Administration. Warehousemen should forward samples to the Board of Cotton Examiners serving the district in which the warehouse is located (the Austin, Corpus Christi, Dallas, Galveston, and Houston, Tex., offices will be open for classing cotton under this program), and a list showing the class of the cotton will be returned to the warehouseman by said board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in Form M. No separate charge is to be made to producers for this service as it is included in the Warehouseman's Storage Agreement. Form 1 classification memorandum of the War Food Administration will also be accepted as evidence of the class of cotton.

A charge of 15 cents per bale shall be collected from the producer for all cotton from which samples are drawn and submitted to a Board of Cotton Examiners for classification, except that no charge shall be collected for samples submitted for a Form 1 classification. The Boards of Cotton Examiners will make collections for classing charges from the warehousemen at the end of each month. A certified check, cashier's check, or postal money order, payable to Commodity Credit Corporation, must be sent to the Board of Cotton Examiners by the warehouseman in payment of these charges.

§ 256.25 *Preparation of documents.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses and also from persons approved by the county agricultural conservation committees, in the cotton-producing areas, to assist producers in preparing and executing

the loan forms. Only persons approved by such committees for such purpose may execute the Clerk's Certificate in Form M. Such persons are permitted to collect fees from producers not to exceed the fees set out in § 256.5 (a).¹ All entries must be made with ink, indelible pencil, or typewriter, in the manner indicated therein, and no documents containing additions, alterations, or erasures, will be accepted by Commodity Credit Corporation. A duplicate copy shall be prepared and retained by the producer. The Schedule of Pledged Cotton must represent cotton of only one grade and staple length.

§ 256.26 *Certification of producer.* As evidence that the producer is entitled to a loan, Commodity Credit Corporation will accept the Clerk's Certificate on Form M.

§ 256.27 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to Form M only if issued by warehousemen approved by Commodity Credit Corporation. Warehousemen desiring to be approved should communicate with the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana. When warehouses are approved, notification will be given either by letter or published lists. Warehouse receipts will also be acceptable if issued by warehousemen approved by Commodity Credit Corporation under the 1945 cotton loan program. All cotton pledged as security for any one loan must be in the same warehouse.

The warehouseman is required, as provided in the Warehouseman's Certificate and Storage Agreement in Form M, to draw representative samples from the bales and to deliver or forward such samples to a Board of Cotton Examiners for classing, except where Form 1 classification memorandum of the War Food Administration is used.

§ 256.28 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse, dated on or prior to the date of the producer's note and properly assigned by an endorsement in blank so as to vest title in the holders, or issued to bearer, will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts which, by their terms, will expire prior to September 1, 1945, must bear an endorsement of the warehouse extending the terms of the warehouse receipt through September 1, 1945. Block warehouse receipts will not be accepted.

§ 256.29 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the Warehouseman's Certificate and Storage Agreement contained in Form M. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as

collateral to the producer's note. All warehouse charges must be paid to the dates of the warehouse receipts.

§ 256.30 *Liens.* Eligible cotton must be free and clear of all liens except in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form M. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not warehousemen), must be listed in the space provided therefor in Form M, and the lienholders so listed must execute the Lienholders' Waiver in such form. If the borrower is a tenant or sharecropper, the landlord must be listed in the List of Lienholders and must sign the lien waiver whether or not he claims a lien, unless the producer's note is signed jointly by the landlord and the tenant or sharecropper. A misrepresentation as to prior liens, or otherwise, will render the producer personally liable under the terms of the loan agreement and subject him to criminal prosecution under the provisions of section 35 (A) of the Criminal Code of the United States (18 U.S.C. 80). The Lienholders' Waiver in Form M must be signed personally by all lienholders listed or by their agents, or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments, in which case the duly executed authority need not be attached.

§ 256.31 *Time and manner of tendering loans for purchase.* Loans made by a lending agency which has executed and delivered a Lending Agency Agreement (C. C. C. Cotton Form N) to the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana, prior to the making of the loan, will be eligible for purchase by Commodity Credit Corporation, C. C. C. Cotton Forms

N are obtainable only from the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana. Under the terms of this agreement, lending agencies are required to tender to Commodity Credit Corporation, New Orleans 12, Louisiana, between September 1, 1945, and September 15, 1945, on Lending Agency's Letter of Transmittal (C. C. C. Cotton Form O), executed in triplicate, all notes on Form M, with collateral attached, which have not been paid by the producers. Upon receipt by Commodity Credit Corporation, the loan papers will be examined, and if found correct, will be approved and purchased. Unless the producer redeems the pledged cotton or converts his loan to a loan under the regular 1945 Cotton Loan Program prior to September 1, 1945, Commodity Credit Corporation will sell such cotton by pooling, or otherwise, as provided in Form M.

§ 256.32 *Lending agency.* The lending agency shall endorse the notes of producers as provided in Form M. Care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case the lending agency has executed the Clerk's Certificate in Form M.

§ 256.33 *Repayments.* No partial release of the cotton securing a note will be permitted. If a producer desires to repay his loan while the note is held by the lending agency, payment should be made directly to the lending agency. In such case, the lending agency is entitled to retain the principal amount of the note plus 3 percent interest.

Dated: May 19, 1945.

C. C. FARRINGTON,
Vice President.

PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1945 AMERICAN UPLAND COTTON 1945 COTTON LOAN PROGRAM
[Basic 1 $\frac{1}{16}$ -inch Middling]

Grade	Staple length (inches)														
	1 $\frac{1}{16}$	$\frac{7}{8}$	$2\frac{1}{2}$	$1\frac{1}{8}$	$3\frac{1}{2}$	1	1 $\frac{1}{2}$	1 $\frac{3}{8}$	1 $\frac{1}{2}$	1 $\frac{3}{8}$	1 $\frac{1}{2}$	1 $\frac{3}{8}$	1 $\frac{1}{2}$	1 $\frac{3}{8}$	1 $\frac{1}{2}$ and longer
White and Extra															
White:															
Good Middling and better	Pts. -225	Pts. -90	Pts. -30	Pts. 35	Pts. 50	Pts. 70	Pts. 95	Pts. 165	Pts. 325	Pts. 585	Pts. 765	Pts. 945	Pts. 1045	Pts. 1170	
Strict Middling	-235	-100	-40	25	40	55	85	155	305	560	740	920	1020	1145	
Middling	-260	-125	-65	Base	15	30	50	120	225	460	635	795	895	1020	
Strict Low Middling	-390	-245	-190	-130	-115	-100	-80	-45	45	190	335	460	535	635	
Low Middling	-625	-485	-430	-370	-365	-350	-345	-335	-280	-230	-205	-180	-165	-155	
Strict Good Ordinary	-745	-610	-565	-505	-505	-500	-495	-495	-495	-495	-495	-495	-495	-495	
Good Ordinary	-855	-715	-670	-610	-605	-600	-595	-595	-595	-595	-595	-595	-595	-595	
Spotted:															
Good Middling	-270	-135	-95	-25	-15	Even	15	40	105	205	330	430	505	605	
Strict Middling	-285	-155	-110	-40	-35	-20	-5	20	80	180	305	405	480	580	
Middling	-440	-300	-255	-185	-180	-170	-155	-135	-80	5	80	150	225	300	
Strict Low Middling	-650	-520	-485	-425	-425	-415	-415	-410	-395	-370	-345	-325	-325	-325	
Low Middling	-820	-680	-645	-580	-580	-575	-575	-570	-555	-555	-555	-555	-555	-555	
Tinged:															
Good Middling	-485	-350	-315	-255	-250	-240	-240	-235	-215	-175	-140	-100	-65	-30	
Strict Middling	-500	-375	-345	-280	-275	-265	-265	-260	-240	-200	-165	-125	-90	-55	
Middling	-730	-590	-555	-500	-500	-495	-495	-495	-445	-430	-420	-420	-420	-420	
Strict Low Middling	-855	-730	-695	-645	-645	-640	-640	-640	-615	-610	-610	-610	-610	-610	
Low Middling	-950	-830	-800	-745	-745	-745	-745	-745	-720	-720	-720	-720	-720	-720	
Yellow Stained:															
Good Middling	-730	-595	-565	-520	-515	-515	-515	-510	-460	-450	-445	-445	-445	-445	
Strict Middling	-750	-620	-590	-540	-540	-540	-540	-535	-485	-475	-470	-470	-470	-470	
Middling	-860	-730	-700	-650	-650	-650	-650	-650	-630	-630	-630	-630	-630	-630	
Gray:															
Good Middling	-375	-255	-215	-155	-145	-135	-115	-95	-35	90	140	215	265	340	
Strict Middling	-430	-310	-270	-210	-200	-190	-170	-150	-60	65	115	190	240	315	
Middling	-550	-425	-390	-330	-325	-315	-305	-300	-225	-185	-160	-135	-110	-85	

¹ 1944 Cotton Loan Instructions (1944 C. C. C. Cotton Form 1, 9 F.R. 10143).

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 493, Fifth Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS

Introductory note. The revision of Regulation 2 of the pink bollworm quarantine, effective May 23, 1945, added to the lightly infested regulated area the Texas counties of Bailey, Borden, Cochran, Coleman, McCulloch, Nolan, Runnels, San Saba, Scurry, Taylor, and that part of Coke County not theretofore under regulation. These counties are located in northwestern Texas where the pink bollworm occurs only from time to time, several years often elapsing in a given county between findings of infestations. In this area it is considered safe under present conditions to eliminate special treatment requirements on baled cotton lint originating therein when it is ginned and protected as required in these instructions. This revision of B. E. P. Q. 493 provides the same safeguards for handling cotton lint produced in the additional counties that have been required for counties in this area.

§ 301.52-4b *Administrative instructions designating certain lightly infested counties in New Mexico and Texas from which baled cotton lint may be moved without treatment.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52 (Notice of Quarantine No. 52), and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52-4, notice is hereby given that certificates may be issued for the interstate movement of baled cotton lint, without treatment, from the following-designated counties when the lint has been produced in an authorized gin and subsequently protected from contamination:

New Mexico: County of Lea.

Texas: Counties of Andrews, Bailey, Borden, Cochran, Coke, Coleman, Concho, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Martin, McCulloch, Midland, Mitchell, Nolan, Runnels, San Saba, Schleicher, Scurry, Sterling, Taylor, Terry, Tom Green and Yoakum.

These instructions supersede those in B. E. P. Q. 493, fourth revision, dated October 26, 1944, and shall become effective July 1, 1945.

(Sec. 8, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.52)

Done at Washington, D. C., this 22d day of June 1945.

[SEAL]

P. N. ANNAND,
Chief, Bureau of Entomology
and Plant Quarantine.

[F. R. Doc. 45-11769; Filed, June 30, 1945;
9:30 p. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 5, Amdt. 2]

PART 1206—FERTILIZER

MANUFACTURE, DELIVERY AND USE OF FERTILIZER

Effective July 1, 1945, War Food Order No. 5 (formerly Food Production Order No. 5)¹ is hereby revised and amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of fertilizer for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

MANUFACTURE, DELIVERY AND USE OF FERTILIZERS

Sec.

- 1206.1 Conditions of manufacture, delivery and use of fertilizers.
1206.2 Fertilizer ingredients for home mixing and direct application.

EXEMPTIONS

- 1206.3 Exemptions.

MISCELLANEOUS PROVISIONS

- 1206.4 Records and reports.
1206.5 Directions.
1206.6 State regulations.
1206.7 Federal Explosives Act.
1206.8 Definitions.
1206.9 Audits and inspections.
1206.10 Petition for relief from hardship.
1206.11 Violations.
1206.12 Delegation of authority.
1206.13 Territorial application of order.
1206.14 Communications.

AUTHORITY: §§ 1206.1 to 1206.14, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14793.

MANUFACTURE, DELIVERY AND USE OF FERTILIZERS

§ 1206.1 *Conditions of manufacture, delivery and use of fertilizers.* (a) No fertilizer manufacturer, dealer or agent shall, subject to the exemptions provided herein, deliver for use on crops, and no person shall use on crops, in any of the States listed in Schedule I, attached hereto, any grades of fertilizer other than the grades designated in such schedule as applicable to the respective States listed therein, and where a grade is designated on such schedule as available only for a particular crop or purpose, such grade shall be delivered for use and used only on such crop or for such purpose.

(b) Each fertilizer manufacturer, dealer and agent, shall, during the 1945-46 season, make fertilizer available according to crop requirements in each geographical locality in which such manufacturer, dealer and agent made fertilizer available for use in the 1944-45 season, unless such manufacturer, dealer or agent has adequate proof that crop requirements for fertilizer in any such locality are being adequately provided

by other manufacturers, dealers or agents.

§ 1206.2 *Fertilizer ingredients for home mixing and direct application.* Each fertilizer manufacturer, dealer and agent shall make available to home mixers the same percentage of his 1945-46 supply of each fertilizer material as he delivered for such use from his 1940-41 or 1941-42 supply, whichever is greater. There shall be no discrimination against any customer who wishes to purchase fertilizer materials for inclusion in home mixtures or for direct application.

EXEMPTIONS

§ 1206.3 *Exemptions.* Notwithstanding any other provisions of this order:

(a) *Deliveries to fertilizer manufacturers.* Any person may deliver fertilizer or fertilizer materials to a fertilizer manufacturer for use in the manufacture of mixed fertilizer.

(b) *Deliveries to States not listed in Schedule I.* Grades applicable to all States and any grades of mixed fertilizers may be delivered by fertilizer manufacturers, dealers and agents in States not named in Schedule I and such grades may be used in such States.

(c) *Deliveries to armed forces.* Fertilizer manufacturers, dealers or agents may deliver any quantity of fertilizer for use in establishing and maintaining grass and other vegetation at Air Force Stations of the United States Army, Navy, Marine Corps and Coast Guard, and at other military installations for establishing and maintaining grass and other vegetation, where such is certified, in the case of the Army, by the Division Engineer, or in the case of the Navy, Marine Corps and Coast Guard, by the Agronomist, Bureau of Aeronautics, Navy Department, as essential for training activities, operations or health.

(d) *Deliveries for experimental purposes to educational institutions.* Any fertilizer may be delivered to and used by educational institutions or publicly owned agricultural institutions for experimental purposes.

(e) *Starter fertilizers.* Nothing herein shall be construed to prohibit the manufacture or delivery of starter fertilizers in pressed tablet form, or in a completely soluble form.

MISCELLANEOUS PROVISIONS

§ 1206.4 *Records and reports.* Each fertilizer manufacturer, dealer and agent who delivers fertilizers to any person, other than a manufacturer, dealer or agent, shall keep a record of each such delivery involving a quantity of over 250 pounds, showing the person to whom delivery was made, the date of delivery, and the quantity of fertilizer materials or grade of mixed fertilizer. (For this purpose, the taking of fertilizer by a manufacturer, dealer or agent for use on his own crops shall be treated as a delivery.) Such records shall be retained for a period of two years. The Director shall be entitled to obtain such information from, and require such reports and the keeping of such other records by, any person, as may be necessary

¹ 8 F.R. 14649, 9 F.R. 632, 2593, 4319.

or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

§ 1206.5 *Directions.* Each person affected by this order shall comply with such directions as may be issued from time to time by the Director with respect to the quantities, grades and kinds of mixed fertilizers to be manufactured and with respect to the delivery and use of any fertilizers.

§ 1206.6 *State regulations.* Nothing contained in this order shall be construed to permit the delivery or use of any grade of fertilizer in any State where the use or delivery of such grade in such State is specifically prohibited by such State.

§ 1206.7 *Federal Explosives Act.* Nothing contained in this order shall be construed to supersede or affect in any manner whatsoever the licensing and other requirements of the Federal Explosives Act of December 26, 1941 (55 Stat. 863), as amended, and the regulations issued thereunder by the Bureau of Mines of the United States Department of the Interior.

§ 1206.8 *Definitions.* For the purposes of this order:

(a) "Fertilizer" means any material used as a plant food containing one or more of the following: nitrogen, phosphorus, or potassium, excluding, however, animal and poultry manure, peat, humus and basic slag.

(b) "Grade" means the minimum guaranteed plant food content of any fertilizer expressed in percentages of its principal plant food components in the following order: nitrogen, available phosphoric acid and available potash.

(c) "Approved grade" means any grade of fertilizer listed in Schedule I attached hereto.

(d) "Specialty fertilizer" means any fertilizer which is prepared for use on lawns, shrubbery, trees, flowers, bulbs, parks and parkways, malls and roadsides, cemeteries, golf courses, trees, and other ornamental plants and gardens.

(e) "Fertilizer manufacturer" means any person who manufactures or mixes fertilizer for sale.

(f) "Dealer" means any person, other than a fertilizer manufacturer, who re-chases fertilizer for resale.

(g) "Agent" means any person, other than a fertilizer manufacturer, who receives fertilizer on a consignment basis for sale.

(h) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(i) "State" means any of the 48 States and the District of Columbia.

(j) "Director" means the Director of the Office of Materials and Facilities of the War Food Administration.

§ 1206.9 *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fertilizer of any persons, and to make such investigations, as may be

necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

§ 1206.10 *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

§ 1206.11 *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using fertilizer. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

§ 1206.12 *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

§ 1206.13 *Territorial application of order.* This order shall have application only in the 48 States and the District of Columbia of the United States.

§ 1206.14 *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director, Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref. WFO 5, Amdt. 2.

NOTE: All record keeping requirements of this order have been approved by, and subsequent reporting and record keeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

SCHEDULE I—FERTILIZER GRADES FOR 1945-1946

GRADES APPLICABLE TO ALL STATES

Nitrate of soda	16-0-0
By-product nitrate of soda	15-0-0
Nitrate of potash	15-0-14
Sulphate of ammonia	20 (or higher)-0-0
Cyanamid	20 (or higher)-0-0
Uramon	42-0-0
Ammoniated superphosphate	4 (or higher)-16 (or higher)-0
Ammonium phosphate	11-48-0
Ammonium phosphate-sulphate	16-20-0
Cal-nitro	20 (or higher)-0-0
A-N-L	20 (or higher)-0-0
Potassium nitrate	30 (or higher)-0-0
Potassium nitrate	12-0-44 (or higher)
Superphosphate	0-18 (or higher)-0
Muriate of potash	0-0-50 (or higher)

Sulphate of potash	0-0-48 (or higher)
Manure salts	0-0-22 (or higher)
Sulphate or potash magnesia	0-0-18 (or higher)

Potash lime	0-0-6
Ground phosphate rock	Any grade
Colloidal phosphate	Any grade
Cotton hull ash	Any grade
Wood ash	Any grade
Organic carriers of nitrogen	Any grade
Mixed specialty fertilizers	Any grade
containing 16 units plant food or more	
Mixed Victory Garden fertilizers	Any approved grade

NEW ENGLAND AREA

Maine:	0-10-20; 0-14-14; 4-12-4; 4-12-8; 4-12-16; 5-7-10; 5-8-7 ⁺ ; 5-10-5 ⁺ ; 5-10-10; 6-9-15; 7-7-7.
New Hampshire:	0-14-14; 4-12-4; 4-12-8; 4-12-12; 4-12-16; 5-8-7 ⁺ ; 5-10-5 ⁺ ; 5-10-10; 6-3-6 ⁺ ; 7-7-7.
Vermont:	0-14-14; 4-12-8; 4-12-16; 5-8-7 ⁺ ; 5-10-5 ⁺ ; 5-10-10; 6-3-6 ⁺ ; 7-7-7.
Massachusetts:	0-14-14; 4-10-0; 4-12-4; 4-12-8; 4-12-16; 5-3-5 ⁺ ; 5-5-15; 5-8-7 ⁺ ; 5-10-10; 5-10-5 ⁺ ; 6-3-6 ⁺ ; 7-7-7.
Rhode Island:	0-10-20; 0-14-14; 4-12-4; 4-12-8; 4-12-16; 5-8-7 ⁺ ; 5-10-5 ⁺ ; 5-10-10; 7-7-7.
Connecticut:	0-14-14; 4-10-0; 4-12-4; 4-12-8; 4-12-16; 5-3-5 ⁺ ; 5-5-15; 5-8-7 ⁺ ; 5-10-5 ⁺ ; 5-10-10; 6-3-6 ⁺ ; 7-7-7.

MIDDLE ATLANTIC AREA

New York:	0-10-20; 0-12-12; 3-9-12; 3-9-15; 3-12-6; 4-8-12; 4-12-4; 4-12-8; 5-10-5 ⁺ ; 5-10-10; 7-7-7.
Pennsylvania:	0-12-12; 0-14-7; 3-9-12; 3-9-15; 3-12-6; 4-8-12; 4-12-4; 4-12-8; 4-12-12; 5-10-5 ⁺ ; 5-10-10; 7-7-7; 10-6-4.
New Jersey:	0-12-12; 0-14-7; 3-9-12; 3-9-15; 3-12-6; 4-8-12; 4-12-4; 4-12-8; 5-10-5 ⁺ ; 5-10-10; 7-7-7; 10-6-4.
Delaware:	0-12-12; 0-14-7; 2-12-12; 3-9-12; 3-9-15; 3-12-6; 4-8-12; 4-12-4; 4-12-8; 5-10-5 ⁺ ; 5-10-10; 6-8-6; 7-7-7; 10-0-10; 10-6-4.
Maryland and District of Columbia:	0-10-20; 0-12-12; 0-14-7; 2-12-12; 3-9-12; 3-9-15; 3-12-6; 4-8-12; 4-12-4; 4-12-8; 5-10-5 ⁺ ; 5-10-10; 6-8-6; 7-7-7; 10-0-10; 10-6-4.
Virginia:	0-12-12; 0-14-7; 2-12-12; 3-9-12; 3-9-15; 3-9-9; 3-9-12; 3-12-6; 4-9-3; 4-10-6; 4-12-4; 4-12-8; 5-5-20; 5-10-5 ⁺ ; 6-8-6; 7-7-7; 10-0-10; 10-6-4.
West Virginia:	0-12-12; 0-14-7; 3-12-6; 4-12-4; 4-12-8; 5-10-5 ⁺ ; 5-10-10; 7-7-7; 10-6-4.

SOUTHEASTERN AREA

North Carolina:	0-8-16 (Basic 500 lbs.); 0-12-12 (Basic 300 lbs.); 0-14-7; 2-10-6 ⁺ ; 2-12-12; 3-9-5 ⁺ ; 3-9-6 ⁺ ; 3-9-9; 3-9-12; 3-12-6; 4-8-8; 4-9-3 ⁺ ; 4-10-6; 4-12-4; 5-5-20 ⁺ ; 5-10-5 ⁺ ; 6-8-6; 10-0-10; 0-9-27; 10-0-30; 6-9-3 ⁺ .
South Carolina:	0-12-12; 0-14-7; 3-9-6 ⁺ ; 3-9-9; 3-9-12; 3-12-6; 4-8-8; 4-10-6; 4-12-4; 4-12-12; 5-10-5 ⁺ ; 5-10-10; 6-8-6; 6-9-3; 7-7-7.
Georgia:	0-14-7; 0-14-10; 2-12-6; 3-9-6; 3-9-9; 3-12-6; 4-4-8; 4-8-6; 4-8-8; 4-9-3 ⁺ ; 4-10-6; 4-12-4; 5-10-5 ⁺ ; 6-8-6; 6-8-8.
Alabama:	0-14-10; 3-9-9 ⁺ ; 4-10-4; 4-10-7; 5-10-5 ⁺ ; 6-8-4; 6-8-8.
Mississippi:	0-14-7; 4-8-8; 5-10-5 ⁺ ; 6-8-4; 6-8-8.
Tennessee:	0-12-12; 0-14-7; 2-12-6; 3-9-6; 4-8-8; 4-8-12; 4-12-4; 5-5-10; 5-10-5 ⁺ ; 6-8-4; 10-6-4; 3-9-18; 6-8-8; 12-0-12.

FLORIDA AREA

Florida:	0-8-12; 0-8-24; 0-10-10; 0-12-16; 0-14-5; 0-14-10; 0-16-0 plus mn; 2-8-8; 2-8-10; 2-10-4; 3-6-8; 3-6-10; 3-8-5; 3-8-8; 4-4-8; 4-5-7; 4-6-8; 4-7-5; 4-8-4; 4-8-6; 4-8-8; 4-9-3; 4-10-7; 4-12-4; 4-12-6; 5-5-8; 5-6-10; 5-7-5; 5-8-8; 5-10-5 ⁺ ; 6-4-8; 6-6-8; 8-0-8; 8-0-12; 12-0-10; 10-0-10.
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See footnotes on following page.

WEST SOUTH CENTRAL AREA

Arkansas: 0-10-20; 0-12-12; 0-14-7; 3-9-18; 3-12-6; 4-8-8; 4-12-4; 5-10-5¹; 6-8-4; 6-8-12; 8-8-8; 10-6-4.

Louisiana: 0-12-12; 0-14-7; 3-12-12; 4-12-4; 4-12-8; 5-10-5¹; 6-8-8; 6-9-6; 8-8-8; 9-6-9; 10-6-4; 12-0-12; 5-10-10.

Texas: 0-14-7; 4-8-8; 4-12-4; 5-10-5¹; 6-8-4; 6-12-0; 6-30-0²; 10-10-0; 10-20-0; 12-15-0; 8-8-8.

Oklahoma: 0-14-7; 2-12-6; 4-12-0; 4-12-4; 5-10-5¹; 3-12-12; 8-8-8.

MIDDLE WEST AREA

Illinois: 0-9-27; 0-10-20; 0-12-12; 0-14-7; 0-20-10; 0-20-20; 2-12-6; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 8-8-8; 10-6-4.

Indiana: 0-6-18¹⁰; 0-9-27; 0-10-20; 0-12-12; 0-14-7; 0-20-10; 0-20-20; 2-12-6; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 5-10-10; 8-8-8; 10-6-4.

Iowa: 0-9-27; 0-10-20; 0-12-12; 0-14-7; 0-14-14; 0-20-10; 0-20-20; 2-12-6; 2-16-8; 3-9-18; 3-12-12; 3-18-9; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 4-16-4; 8-8-8; 10-6-4.

Minnesota: 0-9-27; 0-10-20; 0-12-12; 0-12-24; 0-12-36; 0-14-7; 0-20-10; 0-30-15; 0-20-20; 2-12-6; 2-16-8; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 4-24-12; 4-16-16; 8-12-18; 8-8-8; 8-16-12; 10-6-4.

Ohio: 0-9-27; 0-10-20; 0-12-12; 0-14-7; 0-20-10; 0-20-20; 2-12-6; 3-9-18; 3-12-12; 3-18-9; 3-18-9; 4-12-4³; 4-12-8; 5-10-10; 8-8-8; 10-6-4.

Wisconsin: 0-6-18¹⁰; 0-9-27; 0-10-20; 0-12-12; 0-14-7; 0-14-14; 0-20-10; 0-20-20; 2-12-6; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 6-6-18; 8-8-8; 10-6-4.

Michigan: 0-6-18¹⁰; 0-9-27; 0-10-20; 0-12-12; 0-14-7; 0-14-14; 0-20-10; 0-20-20; 2-12-6; 2-16-8; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 4-16-4; 8-8-8; 10-6-4.

Missouri: 0-10-20; 0-12-12; 0-14-7; 0-20-10; 0-20-20; 2-12-6; 3-9-18; 3-12-12; 3-18-9; 4-12-4³; 4-12-8; 8-8-8; 10-6-4; 0-9-27.

Kentucky: 0-12-12; 0-14-7; 0-20-10; 0-20-20; 2-12-6; 3-9-6; 3-12-12; 3-18-9; 4-12-0⁴; 4-12-4³; 4-12-8; 5-10-10; 6-8-6; 8-8-8; 10-6-4; 5-10-5.

PACIFIC COAST AREA

Arizona: 4-8-0; 4-12-4; 4-19-5; 6-10-4¹; 6-12-0; 6-18-0; 8-8-0; 8-12-0; 8-16-0; 10-10-0; 10-20-0; 10-38-0; 14-6-0.

California: 0-10-8; 0-10-12; 2-10-8; 4-6-8; 4-10-10; 4-12-4; 4-18-18; 5-12-5; 5-14-9; 6-9-6; 6-10-4¹; 6-12-8; 6-16-6; 8-0-12; 8-6-8; 8-8-4; 8-10-12; 10-5-5; 10-5-10; 10-10-0; 10-10-5; 10-12-10; 10-16-8; 10-20-0; 12-0-14; 12-6-0; 14-0-8; 15-8-4; 17-7-0.

Oregon: 0-12-20; 3-10-10; 3-10-20; 4-12-4; 4-12-8; 5-0-8; 5-10-10; 5-10-20; 6-10-4¹; 6-30-0; 10-10-0; 10-10-5; 10-16-8; 10-20-0; 12-12-0; 17-12-0; 17-4-4.

Washington: 0-12-20; 3-10-10; 3-10-20; 4-12-4; 4-12-8; 5-6-8; 5-10-10; 5-10-20; 6-10-4¹; 6-30-0; 10-10-0; 10-10-5; 10-16-8; 10-20-0; 12-12-0; 17-12-0; 17-4-4.

Idaho: 0-12-20; 3-10-10; 3-10-20; 4-12-4; 4-12-8; 5-6-8; 5-10-10; 5-10-20; 6-10-4¹; 6-12-0; 6-30-0; 10-10-0; 10-10-5; 10-16-8; 10-20-0; 12-12-0; 17-12-0; 17-4-4; 8-8-4; 4-16-4; 2-20-20.

[F. R. Doc. 45-11772; Filed, June 30, 1945; 3:29 p. m.]

¹ Recommended, victory garden and specialty fertilizer.

² Victory garden and specialty fertilizers only.

³ Tobacco only.

⁴ Tobacco plant beds only.

⁵ Unless prohibited herein multiples (higher analysis with the same ratio) of the foregoing approved grades may be manufactured and delivered.

⁶ No multiples permitted.

⁷ Top dressing only.

⁸ Fruit only.

⁹ Panhandle and West Texas only.

¹⁰ To contain 700 pounds NaCl per ton.

[WFO 105, Amdt. 1]

PART 1206—FERTILIZER

USE OF EDIBLE OILSEED MEAL IN FERTILIZER

Effective July 1, 1945, War Food Order No. 105¹ is hereby revised and amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of edible oilseed meal for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1206.700 *Use of edible oilseed meal in fertilizer*—(a) *Acquisition*. During the period from July 1, 1945, to June 30, 1946, no person shall acquire any edible oilseed meal for fertilizer purposes unless authorized to do so by the Director. Applications for such authorization shall be filed with the Director on or before September 30, 1945. The maximum quantity of edible oilseed meal which any person may be authorized to acquire for fertilizer purposes shall be the same proportion of the total quantity of edible oilseed meal made available for fertilizer purposes as the proportion which such person used for fertilizer purposes of the total quantity used by all applicants for such purposes during the period July 1, 1941 to June 30, 1942. In making an application the applicant shall inform the Director of the quantity of edible oilseed meal used by him for fertilizer purposes during the period July 1, 1941, to June 30, 1942, unless such information has previously been filed with the Director pursuant to the provisions of War Food Order No. 12 (formerly Food Production Order No. 12).² The Director's authorization, serially numbered, will be issued in writing upon approval of the application. No processor, jobber or other person shall deliver any edible oilseed meal to any person for fertilizer purposes other than a person duly authorized to acquire such meal pursuant to the provisions of this order.

(b) *Inedible oilseed meal of edible type*. No processor, jobber or other person shall transfer or deliver any inedible oilseed meal of edible type for fertilizer purposes without first having obtained authorization to do so from the Director. To obtain such authorization the processor, jobber or other person shall apply to the Director in writing, setting forth the type and quantity of such oilseed meal, and an explanation of why it is considered inedible. The authorization will be issued by the Director upon approval.

(c) *Records and reports*. Each person affected by this order shall maintain for at least two years accurate records of his acquisitions and deliveries of edible oilseed meal and inedible oilseed meal of edible type for fertilizer purposes showing the quantities and types acquired from or delivered to each person. In addition, the Director shall be entitled to obtain such information from, and require such reports and the keeping of such additional records by, any person, as may be necessary or appropriate,

¹ 9 F.R. 7296.

² 8 F.R. 15419, 9 F.R. 2939, 4319.

in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Definitions*. For the purposes of this order:

(1) "Edible oilseed meal" means cottonseed oil meal or cake, soybean oil meal or cake, peanut oil meal or cake, and linseed oil meal or cake, of merchantable quality for feeding purposes.

(2) "Inedible oilseed meal of edible type" means an oilseed meal that ordinarily is edible, but because of taste, color or chemical change, is unfit for feeding.

(3) "Person" means any individual, partnership, corporation, association, business trust or any organized group of persons whether incorporated or not. The term "person" shall also include the United States or any agency thereof and a State or any political subdivision or agency thereof.

(4) "Processor" means a person who produces or processes oilseed meal.

(5) "Jobber" means any person who imports, or purchases from a processor or importer, oilseed meal for transfer to fertilizer manufacturers or other persons.

(6) "Director" means the Director of the Office of Materials and Facilities of the War Food Administration.

(e) *Audits and inspections*. The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of edible oilseed meal or inedible oilseed meal of edible type, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship*. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(g) *Violations*. In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using edible oilseed meal or inedible oilseed meal of edible type. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority*. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall,

unless instructions to the contrary are issued by the Director, be addressed to the Director, Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref. WFO 105, Amdt. 1.

NOTE: All reporting and record keeping requirements of this order have been approved by, and subsequent reporting and record keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14733)

Issued this 30th day of June 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 45-11773; Filed, June 30, 1945;
3:29 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

MISCELLANEOUS AMENDMENTS

JUNE 23, 1945.

The following amendments to Part 90, Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 90.3 is amended to read as follows:

§ 90.3 *Board of Immigration Appeals; powers.* (a) Subject to the provisions of § 90.12, the Board of Immigration Appeals in behalf of the Attorney General shall have authority to consider and determine cases involving:

(1) Appeals from decisions of Boards of Special Inquiry in exclusion or pre-examination proceedings, if the Commissioner has recommended affirmance of the excluding decision of the Board of Special Inquiry.

(2) Deportation proceedings, if the Commissioner has recommended deportation.

(3) Administrative fines and penalties against persons, steamship companies, or other carriers, for violations of the immigration laws, if the Commissioner has ordered the imposition of a fine and the party or parties fined appeal from the order of the Commissioner.

(4) Applications for admission under the 7th or 9th Provisos to section 3 of the Immigration Act of 1917, if a recommendation for denial has been made by the Commissioner.

(5) Requests for stay of execution of a warrant of deportation, if the Commissioner has denied such request.

(6) Applications filed in accordance with section 9 of the Immigration Act of 1924 for non-quota or preference quota status, if the Commissioner has denied such application.

(7) Revocation of non-quota or preference quota status previously granted to any alien.

(8) All cases whether in deportation, exclusion, or preexamination, or proceedings in which application is made for admission under the 7th or 9th Provisos, in which the Commissioner has entered an order granting relief less favorable than that requested by the subject of the proceeding.

(b) If the Board's decision in any of the foregoing proceedings is contrary to the decision or recommendation of the Commissioner, on the Commissioner's request the case shall be certified to the Attorney General by the Board of Immigration Appeals for final decision. The Commissioner may in any case arising in exclusion, deportation or administrative fine proceedings, which in his opinion presents a problem of difficulty or policy, submit such case to the Board of Immigration Appeals for decision and if review by the Attorney General in any such case is desired by the Commissioner, such case shall be submitted to the Board for consideration and certification to the Attorney General.

(c) The Board shall have jurisdiction to consider and decide any case or matter arising under the immigration and naturalization laws which the Attorney General specially refers to the Board.

(d) In connection with the authority granted to the Board under this section it shall be empowered to exercise such discretion and power conferred upon the Attorney General by law as is appropriate for the complete disposition of the proceeding, including but not limited to the power to cancel or terminate, and the power to grant permission to re-apply for admission after arrest and deportation, or exclusion and deportation.

Section 90.5 is amended to read as follows:

§ 90.5 *Board of Immigration Appeals; oral argument.* Oral argument shall be heard by the Board of Immigration Appeals, upon request, in any case or proceeding before it for decision and determination. Requests for oral argument shall be directed to the Board of Immigration Appeals, Department of Justice, Washington, D. C., and shall specify the date on which the argument is desired. The Board shall have authority, upon its own motion or upon request, to fix any date or change the date upon which oral argument is to be heard.

Sections 90.6, 90.7, and 90.8 are hereby revoked.

Section 90.12 is amended to read as follows:

§ 90.12 *Board of Immigration Appeals; reference of cases to the Attorney General.* In any case in which a dissent has been recorded; in any case in which the Board shall certify that a question of difficulty is involved, or in any case in which the Attorney General so directs, the Board of Immigration Appeals shall refer the case to the Attorney General for review of the Board's decision. In any case in which the Attorney General shall reverse the decision of the Board, the Attorney General will state in writing his conclusions and the reasons for his decision.

(R.S. 161, R.S. 360, 39 Stat. 892; 43 Stat. 166; 50 Stat. 164; 53 Stat. 1425; 54 Stat. 675, 1150, 1238; 55 Stat. 736; 5 U.S.C. 22, 311, 8 U.S.C. and Sup., 102, 222, 457, 458, 727)

PART 142—PREEXAMINATION OF ALIENS WITHIN THE UNITED STATES

AUTHORIZATION

The following amendment to Part 142, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

Section 142.5 is amended to read as follows:

§ 142.5 *Preexamination; authorization.* The Commissioner or a designated official in the Central Office shall have authority to authorize the preexamination of any alien eligible under the provisions of § 142.2.

(39 Stat. 875, 885, 887, 889, 891, 892, 41 Stat. 981; 45 Stat. 1551; 50 Stat. 164; 53 Stat. 1425; 54 Stat. 671, 673-676, 1233, 1238; 56 Stat. 1044; 8 U.S.C. and Sup. 102, 136, 152, 153, 155 (d), 155 (c), 158, 451-460)

PART 150—ARREST AND DEPORTATION

PROPOSED FINDINGS, CONCLUSIONS AND ORDER

The following amendment to Part 150, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

Section 150.7 (e) is hereby amended by deleting the last sentence.

(39 Stat. 892; 43 Stat. 166; 54 Stat. 675; 8 U.S.C. 102, 222, 454)

PART 160—IMPOSITION AND COLLECTION OF FINES

DECISIONS AND APPEAL

The following amendment to Part 160, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

Section 160.19 is amended to read as follows:

§ 160.19 *Notice of decisions; appeal.* The Central Office shall furnish notice of the decision in all cases to the field office. The port will then inform the steamship company, carrier or person against whom the proceedings were instituted and, where a fine has been imposed by the Commissioner, shall at the same time notify such company, carrier or person that 30 days will be allowed from the date of the notice within which to enter an appeal to the Board of Immigration Appeals. Any notice of appeal shall be filed in writing at the port and state whether oral argument is desired before the Board. The port shall also inform the Collector of Customs promptly in the event no penalty is imposed, and in all other cases upon the disposition of any appeal, or at the expiration of the time in which an appeal may be entered. The Collector of Customs shall take such action as may be appropriate in carrying out the provisions of the decision.

(39 Stat. 879 ff, 43 Stat. 163, 164, 166, 45 Stat. 1551; 8 U.S.C. 143, 145, 150, 151, 154, 156, 167, 169, 171, 216)

This order shall become effective on August 1, 1945.

UGO CARUSI,
Commissioner.

Recommended:

THOMAS G. FINUCANE,
Chairman,
Board of Immigration Appeals.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45-11631; Filed, June 30, 1945;
10:40 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 204—RESERVES OF MEMBER BANKS

COMPUTATION OF RESERVES

On June 27, 1945, the Board of Governors of the Federal Reserve System amended § 204.2 (a), effective August 1, 1945, by inserting immediately before the last paragraph of such paragraph the following new paragraph:

§ 204.2 *Computation of reserves.*
* * * (a) *Amounts of reserves to be maintained.* * * *

For the purposes of this paragraph and of subparagraph (1) of paragraph (a) of § 204.3, a member bank shall be considered to be in a central reserve city if the head office or any branch of such bank is located in a central reserve city, and a member bank shall be considered to be in a reserve city if the head office or any branch thereof is located in a reserve city and neither the head office nor any branch thereof is located in a central reserve city: *Provided*, That, if a member bank is considered to be in a central reserve city or a reserve city under this paragraph solely by reason of the location of an office of such bank in any outlying district of such a city or in territory added to such city by the extension of the city's corporate limits, such bank may, upon the affirmative vote of five members of the Board of Governors of the Federal Reserve System, be permitted to maintain lower reserve balances as above provided in this paragraph.

(Sec. 11 (c), (e), (i), 38 Stat. 262; sec. 10, 40 Stat. 239; sec. 4, 40 Stat. 970; sec. 207, 49 Stat. 706; sec. 324, 49 Stat. 714; Public No. 656, 77th Cong.; Public No. 37, 78th Cong.; 12 U.S.C. 248 (c), (e), (i), 462, 466, 12 U.S.C., Sup. 462b, 461, 462a1, 465)

[SEAL] BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM.
S. R. CARPENTER,
Secretary.

[F. R. Doc. 45-11804; Filed, July 2, 1945;
10:33 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 60-2]

PART 60—AIR TRAFFIC RULES

REDUCTION OF PRESCRIBED ALTITUDES

Reduction of the prescribed flight altitudes governing visibility and proximity-to-cloud minimums under contact flight rules from 1,000 to 700 feet and reduction of minimum altitudes for instrument flight from 1,500 to 1,000 feet.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 26th day of June 1945.

Effective August 1, 1945, Part 60 of the Civil Air Regulations is amended as follows:

1. By striking "1,000" from the titles of § 60.110 (a) and (b) and inserting in lieu thereof "700".

2. By striking "1,000" from the "Chart of Visibility and proximity-to-cloud Minimums" in § 60.110 and inserting in lieu thereof "1,000".

3. By striking "1,500" from § 60.23 and inserting in lieu thereof "1,000".

4. By striking "3,000; 5,000; etc." from the table and chart in § 60.24 (b) and inserting in lieu thereof "1,000; 3,000; etc."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11833; Filed, July 2, 1945;
11:31 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5239]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PECK AND HILLS FURNITURE CO., INC.

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—List as regular selling: § 3.6 (r) Advertising falsely or misleadingly—Prices—Retail or selling as wholesale, jobbing or discounted, etc.: § 3.55 Furnishing means and instrumentalities of misrepresentation or deception: § 3.66 (f) Misbranding or mislabeling—Price: § 3.69 (c) Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary: § 3.69 (c) Misrepresenting oneself and goods—Prices—Fictitious marking: § 3.69 (c) Misrepresenting oneself and goods—Prices—Retail as dealer's or wholesale: § 3.72 (n) Offering deceptive inducements to purchase or deal—Special offers, savings and discounts.* In connection with the offering for sale, sale, and distribution of household furniture and floor coverings or other products in commerce, (1) representing, directly or by implication, that the established or regular retail selling prices at which its products are sold or offered for sale to consumer purchasers are special or wholesale prices; (2) using courtesy cards as a means of represent-

ing, directly or by implication, that the holders thereof are thereby enabled to purchase respondent's products for less than the prices customarily charged therefor by the respondent; or (3) using in catalogs or on tags attached to the products offered for sale, or otherwise, "list" or other prices which do not represent the prices at which respondent's products are regularly and customarily sold by respondent in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Peck and Hills Furniture Company, Inc., Docket 5239, June 23, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation as to the facts entered into between counsel for the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which stipulation provides, among other things, that without further evidence or other intervening procedure, the Commission may enter its order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Peck and Hills Furniture Company, Inc., a corporation, its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of household furniture and floor coverings or other products, do forthwith cease and desist from:

1. Representing, directly or by implication, that the established or regular retail selling prices at which its products are sold or offered for sale to consumer purchasers are special or wholesale prices.

2. Using courtesy cards as a means of representing, directly or by implication, that the holders thereof are thereby enabled to purchase respondent's products for less than the prices customarily charged therefor by the respondent.

3. Using in catalogs or on tags attached to the products offered for sale, or otherwise, "list" or other prices which do not represent the prices at which respondent's products are regularly and customarily sold by respondent in the normal and usual course of business.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11632; Filed, June 30, 1945;
10:48 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 371]

PART 414—TRANSACTIONS AND OPERATIONS IN HOME OWNERS' LOAN CORPORATION BONDS

RELIEF ON ACCOUNT OF LOST, STOLEN, DESTROYED, MUTILATED OR DEFACED BONDS

Effective July 1, 1945, § 414.4 is hereby amended by striking out the language "407.07a", and inserting in lieu thereof the language "404.04-3".

(Secs. 4 (a), 4 (c), and 4 (k), 48 Stat. 129, 132, as amended by secs. 1 (a), 2, 4, 13 of the Act of April 27, 1934, 48 Stat. 643, 644, 645, 647, secs. 508 (a), (b), 508 (b) of the Act of June 27, 1934, 48 Stat. 1263, 1264, sec. 11 of the Act of May 28, 1935, 49 Stat. 296; 12 U.S.C. 1463; E.O. 9070, 7 F.R. 1529)

Dated: June 29, 1945.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45-11794; Filed, June 30, 1945;
5:10 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 12, Amdt. 2]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PICKING GREEN PEAS FOR MARKET IN MALHEUR COUNTY, OREGON

Supplement 12 (9 F.R. 6701; 10 F.R. 6169) to the specific wage ceiling regulations, § 1110.1 (b) (2) is hereby amended to read as follows:

(2) Long pod varieties, including Giant Stride—60¢ per full bushel hamper.

This amendment shall be effective at 12:01 a. m., Pacific War Time, June 30, 1945.

(56 Stat. 765 (1942); 50 U.S.C. App. 961 et seq. (Supp. III), 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177, 7609)

Issued this 29th day of June 1945.

K. A. BUTLER,
Acting Director of Labor,
War Food Administration.

[F. R. Doc. 45-11638; Filed, June 30, 1945;
11:06 a. m.]

[Rev. Supp. 27]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING APPLES, PEARS, AND CHERRIES IN HOOD RIVER COUNTY, OREG.

Supplement No. 27 (formerly referred to as Specific Wage Ceiling Regulation 27) issued September 7, 1944 (9 F.R. 11056, 10 F.R. 3518) is hereby amended and revised to read as follows:

§ 1110.3 *Wages of workers engaged in harvesting apples, pears and cherries in Hood River County, Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon certification of the Oregon WFA Wage Board that a majority of the producers of apples, a majority of the producers of pears, and a majority of the producers of cherries in Hood River County, Oregon, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking and other harvesting of all varieties of apples, pears, and cherries in the county of Hood River, State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking and other harvesting of all varieties of apples, pears and cherries.*

(1) Cherry picking, all varieties—3½¢ per lb.

(2) Bartlett Pear picking:

(i) 10¢ per apple box or Libby Lug, for single picking

(ii) 11½¢ per A. G. A. Lug, for single picking

(iii) 2¢ more per box may be added to the above rates for size picking

(3) All pear picking other than Bartlett:

(i) 12¢ per apple box or Libby Lug, for single picking

(ii) 13½¢ per A. G. A., for single picking

(4) Apple picking, all varieties except Newtown:

(i) 11¢ per apple box or Libby Lug

(ii) 12½¢ per A. G. A. Lug

(5) Newtown apple picking:

(i) 12¢ per apple box or Libby Lug

(ii) 13½¢ per A. G. A. Lug

(6) Other harvest labor consisting of tractor driver and crew foreman—\$1 per hour

Perquisites consisting of cabins, lights, water and fuel may be supplied in addition to the above wage rates.

(c) *Administration.* The Oregon WFA Wage Board, located at 701 Pittcock Block, Portland 5, Oregon, will have

charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Revised Supplement No. 27 shall become effective at 12:01 a. m., Pacific war time, June 30, 1945.

(56 Stat. 765 (1942); 50 U.S.C. App. 961 et seq. (Supp. III) 57 Stat. 63 (1943); 50 U.S.C. 964; (Supp. III); 58 Stat. 632 (1944); E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 29th day of June 1945.

K. A. BUTLER,
Acting Director of Labor,
War Food Administration.

[F. R. Doc. 45-11637; Filed, June 30, 1945;
11:06 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter B—Bureau of the Public Debt

[1945 Rev. Dept. Circ. 750]

PART 321—REGULATIONS GOVERNING PAYMENTS BY BANKS AND OTHER FINANCIAL INSTITUTIONS IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

JUNE 30, 1945.

Department Circular No. 750, dated September 5, 1944 (9 F.R. 10846), is hereby amended, effective July 2, 1945, and issued to read as follows:

Pursuant to the authority of the Second Liberty Bond Act, as amended, the following regulations are hereby prescribed to govern payments by banks and other financial institutions in connection with the redemption of United States Savings Bonds.

SUBPART A—AUTHORITY TO ACT

- Sec.
321.1 Financial institutions authorized to act.
321.2 Application and qualification.
321.3 Termination of an agent's qualification to pay bonds.

SUBPART B—GENERAL

Sec.

- 321.4 Meaning of terms in this circular.
 321.5 Reimbursement of agents' costs.
 321.6 Announcements, etc., of authority to pay bonds.

SUBPART C—SCOPE OF AUTHORITY OF PAYING AGENTS

- 321.7 General.
 321.8 Payments to owner named on bond.
 321.9 Specific limitations of payment authority.

SUBPART D—PAYMENT AND ACCOUNTING

- 321.10 Examination of bonds presented for payment.
 321.11 Certification of requests for payment.
 321.12 Determination of redemption values and payment of bonds.
 321.13 Forwarding paid bonds to the Federal Reserve Bank.
 321.14 Redemption of paid bonds by Federal Reserve Banks.
 321.15 Losses resulting from payments.
 321.16 Preservation of rights.
 321.17 Redemption of bonds not payable by agents.
 321.18 Functions of Federal Reserve Banks.
 321.19 Supplements, amendments, etc.

AUTHORITY: §§ 321.1 to 321.19, inclusive, issued under R. S. 161 (5 U.S.C. 22), the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941 (55 Stat. 7).

SUBPART A—AUTHORITY TO ACT

§ 321.1 *Financial institutions authorized to act.* Commercial banks, trust companies, savings banks, savings and loan associations, building and loan associations (including cooperative banks), credit unions, cash depositories, industrial banks, and similar financial institutions which (a) are incorporated under Federal Law or under the laws of a State, Territory or possession of the United States, the District of Columbia, or the Commonwealth of the Philippine Islands; (b) in the usual course of business accept, subject to withdrawal, funds for deposit or the purchase of shares; (c) are under the supervision of the banking department or equivalent authority of the jurisdiction in which incorporated; (d) maintain regular offices for the transaction of their business; and (e) are open daily and observe regular business hours, are eligible to become paying agents and, upon qualification in accordance with § 321.2 hereof, are hereby authorized to make payments in connection with the redemption of United States Savings Bonds, subject to the provisions of this circular and any instructions issued hereunder.

§ 321.2 *Application and qualification.* Federal Reserve Banks, as Fiscal Agents of the United States, are authorized to qualify eligible institutions hereunder, and to terminate any such qualification as hereinafter provided. Any eligible institution possessing adequate authority under its charter which desires to qualify to make payments in connection with the redemption of United States Savings Bonds, should make application to the Federal Reserve Bank of the Federal Reserve District in which it is lo-

cated¹ on Application-Agreement Form PD 1958, Revised (see appended Exhibit A), copies of which may be obtained from the appropriate Federal Reserve Bank. If the application is approved, the Federal Reserve Bank will forward to the applicant a Notice of Qualification Form PD 1959 Revised (see appended Exhibit B), establishing that it is qualified to make payments in connection with the redemption of the United States Savings Bonds hereinafter specified. If the application is not approved, the applicant will be so advised in writing by the Federal Reserve Bank of the District.

(a) *Continuation of existing qualifications.* Any incorporated bank or trust company duly acting as a paying agent at the effective date of this revision may continue so to act under its present qualification, but subject to the terms and conditions of this part.

§ 321.3 *Termination of an agent's qualification to pay bonds.* The Secretary of the Treasury or under authority of the Secretary the appropriate Federal Reserve Bank, as Fiscal Agent of the United States, may, by written notice, at any time and without previous demand or notice, terminate the qualification of any paying agent hereunder. A duly qualified paying agent may discontinue making payments at any time upon written notice to the Federal Reserve Bank, and its qualification shall thereupon cease.

SUBPART B—GENERAL

§ 321.4 *Meaning of terms in this part.* For the purpose of this part, unless otherwise indicated specifically, or by context, the terms:

(a) "Paying agent(s)" or "agent(s)" shall mean any eligible financial institution duly qualified pursuant to the provisions of this circular to make payments in connection with the redemption of the United States Savings Bonds hereinafter specified, including such branches located within the United States (including its territories and possessions and the Canal Zone) and the Commonwealth of the Philippine Islands, as it may wish to utilize. For the purpose of this circular the term "branches" shall include those bank facilities at army and navy installations and at defense plants which have been established for the duration of the War with the specific approval of the Treasury Department.

(b) "Bond(s)" shall include only United States Savings Bonds of Series A, B, C, D or E, including bonds of Series E designated Defense Savings Bonds or War Savings Bonds. (Savings Bonds of Series F and G are not included.)

¹ For the purpose of this part, eligible institutions in Puerto Rico, the Virgin Islands and the Canal Zone shall be considered as being within the Second Federal Reserve District and shall make application to the Federal Reserve Bank of New York, and eligible institutions in Alaska, Hawaii, Guam and the Philippine Islands shall be considered as being within the Twelfth Federal Reserve District and shall make application to the Federal Reserve Bank of San Francisco.

(c) "Owner(s)" shall mean an individual (natural person) whose name is inscribed as an owner (or coowner) in his own right on a bond which is registered in any of the following forms:

(1) In the name of a single individual in his own right, e. g. John A. Jones;

(2) In the names of two individuals as coowners, e. g. John A. Jones or Mrs. Ella S. Jones (each is considered as an owner, and payment may be made to either without the consent of the other); or

(3) In the name of one individual, payable on death to another, e. g. John A. Jones, payable on death to Mrs. Ella S. Jones, or John A. Jones, p. o. d. Mrs. Ella S. Jones. (In this example, John A. Jones is the owner and Mrs. Ella S. Jones is the beneficiary. Payment under this circular to a beneficiary is not authorized.)

(d) "Federal Reserve Bank" includes each Federal Reserve Bank and each Branch of a Federal Reserve Bank conducting any of the transactions in connection with which the term is used in this part.

§ 321.5 *Reimbursement of agents' costs.* (a) Each paying agent shall be entitled to receive, for its service in paying bonds hereunder, reimbursement for bonds paid and forwarded to the Federal Reserve Bank each calendar quarter according to the following scale, which shall be applicable separately to the agent and to each of its branches utilized in making payments hereunder, if the bonds paid by each are separately scheduled and accounted for:

- 15 cents each for the first 1,000 bonds.
 10 cents each for all over 1,000 bonds.

The date such bonds are forwarded to the Federal Reserve Bank will govern the rate of reimbursement, and the payment of such amount as the agent is entitled to receive shall be made by the Federal Reserve Bank on behalf of the Treasury Department.

(b) Paying agents shall not make any charge whatever to owners of savings bonds in connection with payments hereunder.

§ 321.6 *Announcements, etc. of authority to pay bonds.* Any announcement of or any reference to an agent's authority to pay savings bonds may be made only in a form or manner or contain such statements or substance as may be approved by the Secretary of the Treasury or, under authority of the Secretary, by the Federal Reserve Bank of the District, as Fiscal Agent of the United States. An eligible financial institution shall not make such announcements or references unless and until it is officially qualified to pay bonds.

SUBPART C—SCOPE OF AUTHORITY OF PAYING AGENTS

§ 321.7 *General.* In order to protect the interests of the owners and to insure receipt by the proper persons of the proceeds thereof, savings bonds are registered, are not transferable, and, in accordance with their terms, are payable only to the owner named on the bond

(except as otherwise specifically provided in the regulations governing the bonds); they may not be used as security for loans or advances in any form. This policy must be understood and effectuated by each agent, notwithstanding the authority granted herein to make payments of bonds, since it is of the utmost importance that payment of the appropriate redemption value of the bonds be made only to and received by the persons entitled and strictly under the terms and conditions of the bonds and applicable regulations.

§ 321.8 *Payments to owner named on bond.* Subject to the terms of the bonds and to the provisions of the regulations governing them (Treasury Department Circular No. 530, as currently in effect on the date of payment) and the provisions of this part, an agent may make payment of any United States Savings Bond of Series A, B, C, D or E, to the individual (natural person) whose name is inscribed as the owner (or coowner) in his own right on the bond: *Provided*, That such individual presents the bond to the agent for payment and that the individual is known to the agent or establishes his identity to the complete satisfaction of the agent. This authority to make payments to the owner named on the bond will be held to include the following exceptional cases:

(a) *Payments—owner's name changed by marriage.* Where the name of the owner as inscribed on the bond has been changed by marriage and the agent knows or can establish to its complete satisfaction the identity of the owner whose name has been so changed. The signature to the request for payment should show both names, for example "Miss Mary T. Jones, now by marriage Mrs. Mary J. Smith." An agent is not authorized to pay a bond for an owner whose name as inscribed on the bond has been changed in any other manner.

(b) *Payments—to parent of a minor.* Where the name of the owner inscribed on the bond is that of a minor child who is not of sufficient competency and understanding to execute the request for payment and comprehend the nature of such act but upon whose behalf request for payment is made by a parent with whom the child resides: *Provided, however*, That the form of registration does not indicate a guardian or similar representative of the estate of the minor owner has been appointed or is otherwise legally qualified. The parent requesting payment on behalf of the minor child must be known or his or her identity established to the complete satisfaction of the agent, and the parent must sign the request for payment in the form: "John A. Jones, on behalf of John C. Jones" and affix an endorsement in substantially the following form, which may be typed on the back of the bond: "I certify that I am the _____ (father or mother) of John C. Jones and the person with whom he resides. He is _____ years of age and is not of sufficient competency and understanding to sign the request." Such a payment may not be made to any person other than a father or mother.

§ 321.9 *Specific limitations of payment authority.* An agent is not authorized to pay a bond:

(a) If the bond is presented for payment prior to the expiration of 60 days from the issue date (the issue date should not be confused with the date appearing in the issuing agent's dating stamp.) Any payment or advance to a bond owner before a bond is eligible for redemption is not authorized in any circumstance.

(b) If the agent does not know or cannot establish to its complete satisfaction the identity of the person requesting payment as the owner of the bond (including the establishment of the identity of parents requesting payment on behalf of minor children, as set forth in § 321.8 (b)).

(c) If the owner requesting payment (form for which appears on the back of each bond) does not sign his name in ink as it is inscribed on the face of the bond and show his home or business address. (See also § 321.8 (a) and (b) and 321.10 (d).)

(d) If the bond appears to bear a material irregularity, for example, an altered, illegible, incomplete or unauthorized inscription, issue date or issuing agent's validating stamp impression; or if a bond appears to be altered, or is mutilated or defaced in such a manner as to create doubt or arouse suspicion with respect to the bond or any essential part thereof.

(e) If the bond is marked "Duplicate."

(f) If Treasury Department regulations require the submission of documentary evidence to support the redemption of the bond, as in the case of deceased owners, incompetents or minors under legal guardianship or the change of an owner's name as inscribed on a bond if for any reason other than marriage.

(g) If the owner named on the bond and requesting payment is a minor who, in the opinion of the agent, is not of sufficient competency and understanding to execute the request for payment and comprehend the nature of such act. (Note the authority granted to agents to make payments of bonds to either parent on behalf of a minor child under the provisions of § 321.8 (b).)

(h) If it is known to the agent that the owner has been declared, in accordance with law, incompetent to manage his estate.

(i) If partial redemption is requested. Attention is directed to § 321.17 hereof for handling bonds of the foregoing classes of cases which may not be paid by agents.

SUBPART D—PAYMENT AND ACCOUNTING

§ 321.10 *Examination of bonds presented for payment.* Before making payment of bonds presented hereunder the agent:

(a) Shall determine that the person requesting payment as the "owner" (as defined in this circular) is known or his identity is established to the satisfaction of the agent.

(b) Shall examine the bond and determine that it is a bond which the agent is authorized to pay under the provisions of this part.

(c) If the request for payment on the back of the bond is already executed, shall determine that the request is properly signed by the registered owner presenting the bond and that his home or business address is shown.

(d) If the request for payment on the back of the bond has not been executed or has been improperly executed by the owner presenting the bond, shall require such owner to properly sign the request and show his home or business address.

§ 321.11 *Certification of requests for payment.* In view of the provisions of this part governing payment of bonds and the requirements as to the data to be endorsed on each bond, under § 321.12, an agent will not be required in the case of any bond paid by it to complete the certification form at the end of the request for payment, nor determine the authenticity of any certification which may appear on the bond at the time it is presented for payment: *Provided, however*, That each agent submitting paid bonds shall be understood by such submission to have represented and certified that the identity of the owner requesting payment has been duly established to the satisfaction of the agent by one of its officers or by an employee duly authorized by the agent.

§ 321.12 *Determination of redemption values and payment of bonds.* The redemption value of a bond is determined from the period of time (years and full half-year) that it has been outstanding, and the table of redemption values on each bond. The Federal Reserve Bank of the District will furnish each agent monthly with a table of redemption values from which it will be possible, after determining the month and year of issue of any bond, to immediately establish its current value. After establishing such value, payment thereof to the owner requesting payment shall be made in cash. No objection will be made to an arrangement between the owner and the agent under which the owner accepts in lieu of cash, a credit to his checking, savings or share account with the agent, or a check or similar instrument payable to his order. Each agent shall place on the face of each bond paid by it the word "Paid," the amount and date of payment and the name, location and code number assigned to the agent by the Federal Reserve Bank. Other data pertinent to the payment procedure of an agent may be included if approved by the Federal Reserve Bank of the District. The Federal Reserve Bank will furnish rubber stamps for this purpose or, in lieu thereof, will approve suitable stamps prepared by an agent. The affixation of such data shall be construed by and between the agent and the Treasury Department to be a certification by the paying agent that the bond has been paid in accordance with the terms and requirements of this part and that payment of the proceeds of the bond has been made to the owner.

§ 321.13 *Forwarding paid bonds to the Federal Reserve Bank.* After payment, the bonds shall be forwarded to the Federal Reserve Bank of the District in

accordance with instructions issued by such Federal Reserve Bank.

§ 321.14 Redemption of paid bonds by Federal Reserve Banks. Upon receipt of the paid bonds the Federal Reserve Bank will make immediate settlement with the paying agent for the total amount of payments made on such bonds; however, such settlement shall be subject to adjustment if any discrepancies are discovered at a later date.

§ 321.15 Losses resulting from payments. Section 22 of the Second Liberty Bond Act, as amended, provides:

(1) Any losses resulting from payments made in connection with the redemption of savings bonds shall be replaced out of the fund established by the Government Losses in Shipment Act, as amended, under such regulations² as may be prescribed by the Secretary of the Treasury. The Treasurer of the United States, any Federal Reserve Bank, or any qualified paying agent authorized or permitted to make payments in connection with the redemption of such bonds, shall be relieved from liability to the United States for such losses, upon a determination by the Secretary of the Treasury that such losses resulted from no fault or negligence on the part of the Treasurer, the Federal Reserve Bank, or the qualified paying agent. * * *. The provisions of Section 3 of the Government Losses in Shipment Act, as amended,³ with respect to the finality of decisions by the Secretary of the Treasury shall apply to the determinations made pursuant to this subsection. * * *.

(a) *Consideration of facts concerning loss.* In any case in which a loss occurs, the paying agent shall be afforded ample opportunity to present all of the facts pertaining to the circumstances of the payment for consideration by the Secretary.

§ 321.16 Preservation of rights. Nothing contained in this part shall be construed to limit or restrict any existing rights which holders of savings bonds may have acquired under the circulars offering such bonds for sale and the regulations prescribed thereunder.

§ 321.17 Redemption of bonds not payable by agents. Any bonds which an agent is not authorized to pay pursuant to the provisions of this part should be forwarded by the owner, or his agent, after certification of the requests for payment, to the Federal Reserve Bank or Branch of the District for redemption. If an agent should undertake to forward

such unpaid bonds at the request and in behalf of the person entitled to payment, such bonds must be sent separate and apart from bonds which the agent has paid. Any documentary evidence required to support the redemption should accompany the bond or bonds when forwarded to the Federal Reserve Bank.

§ 321.18 Functions of Federal Reserve Banks. The Federal Reserve Banks, as Fiscal Agents of the United States, are authorized to perform such duties, and prepare and issue such forms and instructions, as may be necessary to the fulfillment of the purpose and requirements of this part. The Federal Reserve Banks, in their discretion, may utilize any or all of their Branches in the performance of these duties.

§ 321.19 Supplements, amendments, etc. The Secretary of the Treasury may at any time or from time to time revise, supplement, amend, or withdraw, in whole or in part, the provisions of this part, or of any revisions, supplements, or amendments thereto, information as to which will be furnished promptly to the Federal Reserve Banks and to the agents qualified hereunder.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

EXHIBIT A

Form PD 1958, Revised (July 2, 1945)
Treasury Department, Fiscal Service
Bureau of the Public Debt

APPLICATION-AGREEMENT

Payments by banks and other financial institutions in connection with the redemption of United States Savings Bonds

Dated _____, 194__

To the FEDERAL RESERVE BANK OF _____
Fiscal Agent of the United States.

The _____ hereinafter referred to as the undersigned, hereby applies for qualification to make payments in connection with the redemption of United States Savings Bonds, as provided in Treasury Department Circular No. 750, Revised.

The undersigned hereby certifies that (a) it is incorporated under the laws of _____; (b) in the usual course of business it accepts, subject to withdrawal, funds for deposit or the purchase of shares; (c) it is under the supervision of the _____
Name of supervising Dept. or similar office

of _____
State or other jurisdiction

(d) it maintains a regular office for the transaction of its business at the address specified below; (e) it is open daily and observes regular business hours; and (f) it has adequate authority under its charter to enter into this agreement.

In consideration of being qualified as a paying agent, the undersigned hereby agrees:

1. To be bound by and to comply with the provisions of Treasury Department Circular No. 750, Revised, including all supplements and amendments thereof and instructions issued thereunder.

2. That the Secretary of the Treasury, or the Federal Reserve Bank of _____, by written notice, may, at any time, and without previous demand or notice, terminate the qualification of the undersigned; and that in the event of such termination

the undersigned, after receipt of such notice or after the date of termination specified therein, will not thereafter pay any United States Savings Bonds.

It is understood that the undersigned may withdraw from this Agreement at any time upon written notice of such intention to the Federal Reserve Bank of _____

In witness whereof, the undersigned has caused this Agreement to be executed under seal by the officer below named, thereunto duly authorized by a resolution of its governing board or committee adopted on the _____ day of _____, 194__.

(Name)

(Address)

[SEAL] By _____
(Signature of Officer)

(Title of Officer)

ACKNOWLEDGMENT

State of _____
County of _____ ss:

On this _____ day of _____, 194__, before me appeared _____, to me personally known, who being by me duly sworn, did say that he is the _____ of the _____ and _____

(Name of Institution)

that the seal affixed to the above instrument is the corporate seal of said institution, and that the above instrument was signed and sealed in behalf of said institution by authority of its governing board or committee, and said officer acknowledged said instrument to be the free act and deed of said institution.

[SEAL]

Notary Public

My commission expires _____

(In case the applicant has no corporate seal omit the words, "and that the seal affixed to the above instrument is the corporate seal of said institution", and add at the end of the affidavit "The institution has no corporate seal".)

EXHIBIT B

Form PD 1959, Revised (July 2, 1945)

Treasury Department Fiscal Service
Bureau of the Public Debt

NOTICE OF QUALIFICATION OF A BANK OR OTHER FINANCIAL INSTITUTION TO MAKE PAYMENTS IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

_____, 194__

To: _____

GENTLEMEN:

Your Application-Agreement Form PD 1958, Revised, dated _____, has been approved as of this date. You are hereby notified that you are qualified to make payments in connection with the redemption of United States Savings Bonds pursuant to the provisions of Treasury Department Circular No. 750, Revised, and any supplements or amendments thereof and instructions issued pursuant thereto.

FEDERAL RESERVE BANK OF _____
Fiscal Agent of the United States

By _____

[F. R. Doc. 45-11626; Filed, June 30, 1945;
10:15 a. m.]

²Regulations governing replacement of connection with the redemption of United States Savings Bonds are set forth in Part 322 of this chapter.

³The provisions of section 3 of the government Losses in Shipment Act, as amended, with respect to the finality of decisions by the Secretary of the Treasury are—"Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States."

[1945 Rev. Dept. Circ. 751]

PART 322—REGULATIONS GOVERNING REPLACEMENT OUT OF THE FUND ESTABLISHED BY THE GOVERNMENT LOSSES IN SHIPMENT ACT, AS AMENDED, OF ANY LOSSES RESULTING FROM PAYMENTS MADE IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

JUNE 30, 1945.

Department Circular No. 751, dated September 5, 1944, (9 F.R. 10848) is hereby amended and issued to read as follows:

SUBPART A—REGULATIONS PRESCRIBED

Sec.

322.1 Application of regulations.

SUBPART B—REPORTS OF LOSSES

322.2 Loss to the United States.

322.3 Erroneous payments reported to or discovered by Federal Reserve Banks.

322.4 Report to Treasury of cases involving erroneous payments.

SUBPART C—FINAL DETERMINATION OF LOSSES

322.5 Reported erroneous payment; general action by Treasury.

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SUBPART D—REPLACEMENT OF LOSSES OUT OF THE FUND

322.7 Replacement and recovery in connection with losses.

SUBPART E—INVESTIGATION OF LOSSES

322.8 Use of United States Secret Service.

SUBPART F—SUPPLEMENTS, AMENDMENTS, ETC.

322.9 Supplements, amendments, etc.

AUTHORITY: §§ 322.1 to 322.9, inclusive, issued under R.S. 161 (5 U.S.C. 22) the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941, sec. 3 (55 Stat. 7).

SUBPART A—REGULATIONS PRESCRIBED

§ 322.1 *Application of regulations.* Pursuant to the authority of the Second Liberty Bond Act, as amended, the following regulations are hereby prescribed for the replacement out of the fund established by the Government Losses in Shipment Act, as amended, of any losses to the United States resulting from payments made in connection with the redemption of United States Savings Bonds, and shall apply to losses resulting from payments made (a) by the Treasurer of the United States, (b) by any Federal Reserve Bank or Branch, as Fiscal Agent of the United States, and (c) by any bank or other financial institution qualified as a paying agent pursuant to Part 321 of this chapter.

SUBPART B—REPORTS OF LOSSES

§ 322.2 *Loss to the United States.* A loss to the United States may result from an erroneous (or unauthorized) payment in connection with the redemption of savings bonds.

§ 322.3 *Erroneous payments reported to or discovered by Federal Reserve Banks.* If a financial institution, qualified to pay savings bonds, finds an erroneous payment to have been made, either before or after the bonds have been forwarded to the Federal Reserve Bank, immediate report thereof should be made

to the Federal Reserve Bank. Any such erroneous payments so reported, and any other erroneous payments found by a Federal Reserve Bank of bonds received from a duly qualified paying agent shall, so far as possible, be adjusted between the Federal Reserve Bank and the paying agent concerned.

§ 322.4 *Report to Treasury of cases involving erroneous payments.* Any such erroneous payments which cannot be adjusted by a Federal Reserve Bank and any other erroneous payments found after the account of the Treasurer of the United States has been charged shall immediately be reported by the Federal Reserve Bank to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois.

SUBPART C—FINAL DETERMINATION OF LOSSES

§ 322.5 *Reported erroneous payment, general action by Treasury.* Following receipt of the report of an erroneous payment, the Treasury Department will appropriately advise the paying agent concerned, unless such action is unnecessary. The Department shall determine whether or not appropriate adjustment may be effected with the persons concerned in the erroneous payment and in this connection will expect the cooperation of the paying agent, if necessary.

(a) If it is determined that no loss to the United States will occur the paying agent will be so advised.

(b) If it is determined that a final loss to the United States has occurred, the paying agent will be given every opportunity to present the full facts relating to the payment for consideration of the Secretary of the Treasury. If the Secretary shall determine that the final loss resulted from no fault or negligence on the part of the paying agent, notice to that effect will be given the paying agent and he will be relieved from liability to the United States. If, however, the Secretary of the Treasury finds fault or negligence on the part of the paying agent, notice to that effect will be given such paying agent who will be expected to make prompt restitution.

§ 322.6 *Restitution by paying agents.* In no case will the Treasurer of the United States, a Federal Reserve Bank (including any of its branches) or the financial institution qualified as a paying agent under Part 321 of this chapter, whichever made the erroneous payment, be called upon to make restitution unless and until the Secretary has determined that a final loss has been incurred as a result of an erroneous payment due to the fault or negligence of the paying agent.

SUBPART D—REPLACEMENT OF LOSSES OUT OF THE FUND

§ 322.7 *Replacement and recovery in connection with losses.* When it is established to the satisfaction of the Secretary of the Treasury that a loss has resulted from a payment made in connection with the redemption of a United

States Savings Bond, the loss shall be subject to immediate replacement out of the fund established by the Government Losses in Shipment Act, as amended. Any recovery or repayment on account of any such loss as to which replacement shall have been made out of the fund, shall be credited to the fund.

SUBPART E—INVESTIGATION OF LOSSES

§ 322.8 *Use of United States Secret Service.* The Treasury Department, and, in appropriate cases, Federal Reserve Banks, as Fiscal Agents of the United States, may request the Secret Service to investigate losses and assist in the recovery of improper payments. The Treasurer of the United States, the Federal Reserve Banks, and qualified paying agents should cooperate with the Secret Service to the fullest extent in facilitating investigations and making recoveries and they will be expected to take such actions as may be necessary on their part to complete such investigations and recoveries.

SUBPART F—SUPPLEMENTS, AMENDMENTS, ETC.

§ 322.9 *Supplements, amendments, etc.* The Secretary of the Treasury may at any time or from time to time supplement, amend, or withdraw, in whole or in part, the provisions of this circular, or of any amendments or supplements thereto, information as to which will be furnished promptly to the Federal Reserve Banks and to eligible financial institutions qualified to make payments of savings bonds under the provisions of Part 321 of this chapter.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 45-11627; Filed, June 30, 1945;
10:15 a. m.]

TITLE 32—NATIONAL DEFENSE**Chapter VI—Selective Service System**

[No. 297]

FILING FOLDER

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 54, entitled "Filing Folder"

The foregoing discontinuance shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 28, 1945.

[F. R. Doc. 45-11598; Filed, June 29, 1945;
2:58 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 42]

PART 802—GENERAL LICENSES

MEXICO; SHIPMENTS OF LIMITED VALUE

Section 802.10 *Shipments of limited value "GLV"* is hereby amended in the following particulars:

Paragraph (f) *Special provisions for Mexico* is amended by adding thereto subparagraph (5) to read as follows:

(5) Notwithstanding the value limits specified in the Schedule of Commodities set forth in § 801.2 of this subchapter under the column headed "GLV Dollar Value Limits" the following textile commodities may be exported under general license "GLV" to Mexico where, in a single shipment, the net value of all articles or commodities classified under a single Schedule B Number listed in Group I (cotton) does not exceed \$25.00 and the net value of all articles or commodities classified under a single Schedule B Number listed in Group II (woolens) does not exceed \$50.00 *Provided*: That such shipments are made in conformity with the special provisions for Mexico, set forth in this paragraph (f) and also that no exportation of such commodities may be made under this general license unless such commodities are intended for the direct use of the consignee or members of his immediate family and are not being exported for the purpose of resale.

LIST OF COMMODITIES

GROUP I—COTTON (DOLLAR VALUE LIMITATION—\$25)

Schedule B number	Commodity description
309300	Women's knit hosiery.
309400	Children's knit hosiery.
309500	Men's knit hosiery.
309600	Men's and boys' underwear.
309700	Women's and children's underwear.
309800	Nightwear, knit, women's and children's.
309910	Men's and boys' sweaters, jersey pullovers and sweatshirts.
309950	Women's and children's sweaters and shawls.
309990	Knit apparel, n. e. s.
311300	Men's and boys' jackets and wind-breakers.
311400	Overalls, breeches, pants, aprons and men's work clothing, n. e. s.
311500	Nightwear, men's and boys'.
311610	Underwear, men's and boys'.
311710	Work shirts.
311720	Other men's and boys' shirts, except knit.
312000	Men's and boys' clothing of woven fabrics, n. e. s.
312200	Women's dresses and ensembles.
312400	Women's and children's underwear and nightwear, not knit.
312700	Children's outerwear, not knit.
312900	Women's and children's apparel of woven fabrics, n. e. s.
318900	House furnishings, n. e. s.

GROUP II—WOOL (DOLLAR VALUE LIMITATION—\$50)

367500	Knit bathing suits.
367600	Knit sweaters for men, women and children.
367700	Wool knit goods, n. e. s.

No. 131—3

GROUP II—WOOL (DOLLAR VALUE LIMITATION—\$50)—continued

368005	Men's overcoats, suits and pants.
368098	Boys' overcoats, suits and pants.
368200	Women's and children's dresses and ensembles, except knit.
368300	Women's and children's apparel, except knit, n. e. s.
368950	Men's and boys' apparel, except knit, n. e. s.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 26, 1945.

S. H. LEBENSEBURGER,

Director,

Requirements and Supply Branch,
Bureau of Supplies.[F. R. Doc. 45-11801; Filed, July 2, 1945;
10:08 a. m.]

[Amdt. 43]

PART 810—LIMITED PRODUCTION LICENSE FOR FARM MACHINERY "LPL"

Part 810 Limited production license for farm machinery "LPL" is hereby amended to read as follows:

Sec.

- 810.1 General provisions.
810.2 Clearance for export.
810.3 Period of validity.

AUTHORITY: §§ 810.1 to 810.3 issued under sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320.

§ 810.1 *General provisions.* (a) There is hereby established a limited production license, designated "LPL", authorizing, subject to the other provisions of this part, the exportation of farm machinery and equipment, not including repair parts, manufactured for export, or the production of which is permitted, under the provisions of War Production Board Order L-257-c and classified under one of the following Department of Commerce Schedule B numbers:

610600, 618500
620998, 701200, 709998
722300, 722600
735500, 735700, 736100
736500, 736800, 736900
759200, 761200
775098
780000 thru 784100
784400 thru 787000
787900 thru 788600
788905 thru 789600
789998, 797500

(b) Any person may, as an alternative procedure to the filing of applications for individual licenses, file an "Application for Limited Production License accompanied by an "Application for Distribution Schedule for Farm Machinery and Equipment" for the exportation of farm machinery and equipment (not including repair parts) manufactured, or the pro-

duction of which is permitted, under the provisions of War Production Board Order L-257-c. Such applications shall be filed on the form or forms prescribed by the Foreign Economic Administration. Any exporter, other than a manufacturer or manufacturer's agent, shall, in addition, submit a statement from the manufacturer of such farm machinery and equipment that the commodities to be exported as set forth in said distribution schedule have been charged to the manufacturer's production for export in any case where the commodities to be exported have been or will be produced by a manufacturer whose production of farm machinery and equipment for export is scheduled by the War Production Board. All of the terms, conditions, provisions and instructions contained in such forms are hereby incorporated as a part of the regulations in this subchapter. Each application shall contain such information as may be required by the Foreign Economic Administration, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Applications for limited production licenses and related distribution schedules for farm machinery and equipment produced under War Production Board Order L-257-c shall be filed with the Agricultural Machinery Section, Office of Food Programs, Foreign Economic Administration, Washington 25, D. C.

(d) Any exporter, whose application for a limited production license and related application for a distribution schedule for farm machinery and equipment has been approved, may, during the period of validity of the license, export under such license to each country or group of countries listed in the related distribution schedule not more than the quantity and type of farm machinery and equipment approved by the Foreign Economic Administration for export to each such country or group of countries in said distribution schedule.

(e) Limited production licenses and related distribution schedules for farm machinery and equipment may be amended by the Foreign Economic Administration upon application of the holder of such license in the form of a letter addressed to the Office of Food Programs, Foreign Economic Administration, Washington 25, D. C. Amendments will be issued by the Foreign Economic Administration by letter which shall be considered a part of the limited production license and distribution schedule to which the amendment is applicable.

§ 810.2 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited production license for farm machinery and equipment. In lieu of the presentation of an original export license, or other document issued by Foreign Economic Administration, the exporter making an exportation of farm machinery and equipment under a limited production license shall present to the United States Collector of Customs at the port of exit, or the United States Postmaster at the place of mailing, a Shipper's Export Declaration bearing

the symbol "LPL" and the number of the limited production license pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LPL" on a Shipper's Export Declaration for the purpose of clearing an exportation of farm machinery and equipment constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited production license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule relating to such license; (3) that all of the other provisions and conditions of said license have been met.

§ 810.3 *Period of validity.* Limited production licenses for farm machinery and equipment manufactured, or the production of which is permitted, under the provisions of War Production Board Order L-257-c shall be valid for the period beginning on July 1, 1945, or on any subsequent date of issuance, and expiring on July 31, 1946 unless otherwise indicated on the face of the license or unless the period of validity is reduced or extended by the Foreign Economic Administration. This amendment supersedes the provisions of Part 810 previously in effect except that all limited production licenses issued prior to July 1, 1945 authorizing the exportation of farm machinery, equipment and repair parts manufactured under the provisions of War Production Board Order L-257-a are continued in effect until July 31, 1945.

This amendment shall take effect on July 1, 1945.

Dated: June 29, 1945.

S. H. LEBENSBERGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-11802; Filed, July 2, 1945;
10:08 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 937—ZINC

[M-11 as Amended June 30, 1945]

SLAB ZINC

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.1 *General Preference Order M-11—(a) Scope of this order.* This order controls deliveries of zinc insofar as necessary to assure that consumers obtain available zinc of a particular grade

or grades to fill "preferred orders" as defined in paragraph (b) (4). Consumers are required to file applications with the War Production Board setting forth their "preferred orders" for zinc and the War Production Board will issue them allocations of sufficient zinc to fill such orders to the extent that zinc is available therefor. Producers of zinc will be directed to set aside from their production a sufficient amount of zinc in each grade to fill orders supported by allocation certificates. Deliveries of zinc by producers over and above the amount under allocation will be unrestricted except as subject to specific directions of the War Production Board in cases of emergencies.

(b) *Definitions.* (1) "Zinc" means all grades of metallic slab zinc (spelter) produced directly from ores, concentrates or other primary material; or redistilled from zinc scrap, including ashes, dross, skimmings, clippings, castings, engravers' plates, die castings, die cast scrap, or any secondary zinc-bearing material.

(2) "Producer" means any person producing zinc and any person who has zinc produced for him under toll agreement.

(3) "Dealer" means any person who regularly receives physical delivery of zinc and sells or holds the same for resale without changing the form. A person who produces any zinc or who has the same produced for him under toll agreement, is a producer as to such zinc, and not a dealer.

(4) "Preferred order" means an order bearing a rating of AA-3 or higher in the case of non-controlled materials and products, and in the case of controlled materials an "authorized controlled material order" as defined in CMP Regulation 1, other than an authorized controlled material order identified by a CMP allotment symbol containing the letter "Z".

(c) *Restrictions on deliveries.* (1) Each producer and importer of zinc shall set aside the amounts and grades of zinc as directed monthly by the War Production Board (beginning with the month of August, 1945) and, except as noted in paragraph (c) (2) below, no producer shall deliver any zinc so set aside except on notification from the purchaser of the serial number of an allocation certificate issued him under paragraph (d) of this order.

(2) Any zinc set aside for a particular month (beginning with August, 1945) as directed by the War Production Board and for which a producer or importer has not received an order supported by notification of an allocation serial number on or before the 10th day of that month, may be delivered without restriction after the 10th day of that month.

(3) On and after August 1, 1945, each producer and importer may deliver at any time and without restriction under

this order zinc which the War Production Board has not directed him to set aside as provided in paragraph (c) (1).

(4) Preference ratings, except AAA, on purchase orders filed with a producer or importer are not applicable whether or not such orders are supported by an allocation certificate.

(d) *Acceptance of deliveries of zinc from producers and importers.* (1) Any person consuming twenty tons or more of zinc a month and all dealers shall file Form WPB-2893 with the War Production Board not later than the 12th day of each month in accordance with instructions on said form.

(2) For the month of August, 1945, and monthly thereafter, the War Production Board will allocate zinc in amounts and grades necessary to fill "preferred orders" but only to the extent that zinc is available therefor.

(3) An allocation certificate issued for the month of August, 1945, and for any month thereafter will authorize the holder to accept from a producer, an importer or the Metals Reserve Company deliveries of zinc in the amount and grade specified, provided notification of the serial number of an allocation certificate is presented to the producer, the importer or the Metals Reserve Company on or before the 10th day of said month. The holder of an allocation certificate shall not use it to obtain more than the amount and grades of zinc therein stated.

(4) After the month of July, 1945, the War Production Board will not allocate zinc to fill orders other than "preferred orders" and any person may accept delivery of zinc to fill them from any available source of supply.

(e) *Acceptance of deliveries of zinc from a dealer.* (1) No allocation certificate will be issued by the War Production Board to permit any person to accept deliveries of zinc from a dealer. However, a person may accept delivery of zinc from a dealer only if such delivery meets the following conditions:

(i) The delivery in question combined with all other deliveries of zinc to the purchaser during the calendar month, from whatever source, will not aggregate as much as 20 short tons; and

(ii) The purchaser has not filed Form WPB-2893 with the War Production Board for that particular calendar month in accordance with paragraph (d) (1) above.

(2) Preference ratings on orders filed with a dealer are applicable and shall be honored as provided in Priorities Regulation No. 1.

(f) *Deliveries of zinc.* No person shall make any delivery of zinc if he knows or has reason to believe that the person accepting the delivery has not complied with all the provisions of this order.

(g) *Restrictions on depletion of inventory.* No person should use zinc and no dealer should deliver zinc to fill orders other than rated orders, if in so doing he will deplete his inventory of zinc to a point which will interfere with or delay the production or delivery of rated orders.

NOTE: Paragraph (h), (i), (j), (k), and (l), formerly paragraphs (e), (f), (g), (h), and (i), redesignated June 30, 1945. Former paragraph (j) deleted, June 30, 1945.

(h) *Specific directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, grades and amounts of zinc, to be delivered or acquired by any person.

(i) *Applicability of regulations.* Except as provided in paragraph (c) (3) above, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(j) *Reports.* All producers, dealers, and users of zinc shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such reports as the War Production Board may from time to time prescribe.

(k) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Tin, Lead and Zinc Division, WPB Dept. 7512, Washington 25, D. C., Ref: M-11.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11718; Filed, June 30, 1945;
12:05 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-740, Reinstatement and
Amdt.]

SEATTLE TIMES CO.

Seattle Times Company, a Washington corporation publishing the Seattle Times, a daily and Sunday newspaper was suspended by the provisions of Suspension Order No. S-740. It appealed to the Chief Compliance Commissioner on March 26, 1945 and pending final determination of the appeal a stay was issued. The appeal was considered by the Chief Compliance Commissioner who has directed that the stay be revoked as of June 30, 1945 and the order reinstated and amended to take effect July 1, 1945.

In view of the foregoing, it is hereby ordered, that: § 1010.740, *Suspension Order No. S-740* be reinstated effective July 1, 1945, the stay be revoked effective June 30, 1945 and the suspension order be amended by substituting for the present paragraph (a) the following:

(a) Seattle Times Company, its successors or assigns, shall reduce its consumption of print paper during the last two calendar quarters of 1945 and the first two calendar quarters of 1946 by 265 tons under the consumption quota it would otherwise be entitled to use under the provisions of Order L-240, unless otherwise specifically authorized in writing by the War Production Board. Such reduction shall be at the rate of at least 60 tons per calendar quarter.

Issued this 19th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11725; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S-752, Reinstatement]

CHARLES J. H. GIMPEL

Charles J. H. Gimpel and Elizabeth A. Gimpel, doing business as Charles H. Gimpel, 72-74 Front Street, New York, engaged in the business of packing merchandise mainly for export and, in connection therewith, designing and manufacturing cases, crates and platforms was suspended effective April 9, 1945, by Suspension Order No. S-752. They appealed from the provisions of the suspension order and pending final determination of the appeal the order was stayed effective April 9, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Curtis Bok who has directed that the appeal be dismissed, the stay terminated and the suspension order reinstated as of July 1, 1945.

In view of the foregoing, it is hereby ordered, that: § 1010.752, *Suspension Order No. S-752* be reinstated as of July 1, 1945 to run for a period of three months and the stay of execution be terminated as of June 30, 1945.

Issued this 6th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11726; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-752, Amdt. 1 to Reinstatement]

CHARLES H. GIMPEL

Suspension Order No. S-752, reinstated June 6, 1945 to take effect July 1, 1945 is hereby amended as follows:

It is hereby ordered, that: § 1010.752, *Suspension Order No. S-752* as amended April 5, 1945 be reinstated as of July 1, 1945 to run for a period of three months

and the stay of execution be terminated as of June 30, 1945.

Issued this 11th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11727; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-828, Stay of Execution]
KIMEL SHOE CO.

Kimel Shoe Company, a partnership composed of Morris E. Kimel, Harry Moss, and Stanley Kimel engaged in the business of manufacturing shoes in Los Angeles, California, has appealed from the provisions of Suspension Order S-828 and has requested a stay. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing, it is hereby ordered, that:

The provisions of *Suspension Order No. S-828* be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11623; Filed, June 29, 1945;
4:45 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-830]

DICKINSON & MOORHOUSE, INC.

Dickinson & Moorhouse, Inc., a Michigan corporation, 14551 Meyers Road, Detroit, Michigan, is engaged in business as a building contractor, and during December, 1944, and thereafter, without permission of the War Production Board, did construction of a commercial building to be used for storage purposes, at 13550 Fullerton Avenue, Detroit, Michigan, the estimated cost of which was in excess of \$200, in violation of Conservation Order L-41. The responsible officials of Dickinson & Moorhouse, Inc., had knowledge of Conservation Order L-41, and the beginning and carrying on of this construction without authorization was a wilful violation of that order.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.830 *Suspension Order No. S-830.* (a) For a period of three months from the effective date of this order, unless otherwise specifically authorized in writing by the War Production Board, Dickinson & Moorhouse, Inc., its successors or assigns, shall not apply or extend any preference ratings, regardless of the delivery date named in any pur-

chase order to which such ratings may be applied or extended.

(b) Nothing contained in this order shall be deemed to relieve Dickinson & Moorhouse, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 30, 1945.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11730; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-831]

RUBY LIGHTING CORP.

Ruby Lighting Corporation, a corporation, 1216 South Olive Street, Los Angeles, California, between March 3, 1944 and October 31, 1944 unlawfully delivered new fluorescent lighting fixtures to various persons and between April 14, 1944 and December 1, 1944 unlawfully used metal in the production of fluorescent lighting fixtures. In view of the foregoing, it is hereby ordered, that:

§ 1010.831 *Suspension Order No. S-831.* (a) Ruby Lighting Corporation shall not, for a period of forty-five (45) days from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve Ruby Lighting Corporation from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Ruby Lighting Corporation, its successors or assigns or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 30, 1945.

Issued this 23d day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11732; Filed, June 30, 1945;
12:03 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 13]

SCRAP DEALERS

The following interpretation is issued with respect to Conservation Order L-41:

Paragraph (d) (1) (vii) of Order L-41 provides that it is not necessary to get permis-

sion from the War Production Board under that order for construction jobs done on a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, if the total cost of all the construction jobs done on the unit in a calendar year does not exceed \$25,000.

A scrap dealer's plant falls within paragraph (d) (1) (vii) if it is primarily engaged in such processing operations as baling, pressing or briquetting light iron, cutting up heavy melting steel, breaking up cast iron, detinning cans or smelting non-ferrous metals for the purpose of making the scrap available for further use.

On the other hand an automobile graveyard where automobiles are taken apart and the parts sold without any change and a junk dealer's yard where items are sorted and cleaned are not considered to be engaged in manufacturing, processing or assembling goods within the meaning of paragraph (d) (1) (vii). These establishments fall within paragraph (d) (1) (v) and may do construction jobs having a total cost of \$5,000 in a calendar year without getting War Production Board permission under L-41.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11712; Filed, June 30, 1945;
12:03 p. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, as Amended Apr. 30, 1945, Amdt. 3]

FIBRE SHIPPING CONTAINERS: MANUFACTURE, DELIVERY AND USE

Section 3270.6 *Limitation Order L-317* is amended in the following respects:

1. A new unnumbered subparagraph shall be added after paragraph (b) (1) (iv) to read as follows:

However, a container (except a "V box" or a "W box") shall not be regarded as a fibre shipping container as defined above where it is acquired from a disposal agency of the United States Government.

2. In Schedule II of Order L-317, under item g, the words "Hose-rubber and fabric, except wire inserted" shall be changed to read as follows:

Hose, garden (rubber or fabric).

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11714; Filed, June 30, 1945;
12:04 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, as Amended Jan. 5, 1945, Amdt. 3]

LUMBER CONTROL ORDER

Section 3285.121 *Order L-335* is hereby amended in the following respect:

Amend paragraph (q) by inserting after the word "order" in line 15 the following: "A certification required by this order or a directive or direction to this

order may not be waived under paragraph (f) of Priorities Regulation 7."

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11715; Filed, June 30, 1945;
12:04 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 2a, as Amended June 30, 1945]

RESTRICTION ON DELIVERY AND RECEIPTS OF WESTERN PINE LUMBER

Direction 2a to Order L-335 is hereby amended to read as follows:

(a) *What this direction does.* This direction restricts the delivery by sawmills and distributors and the receipt by consumers of Western pine lumber produced by sawmills located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico and South Dakota which currently produce 10,000 or more board feet of Western pine lumber per average day of eight hours of continuous operation or which produced an average of 10,000 or more board feet of lumber per day during the days from June 2, 1943 to December 3, 1943 when in operation. For the purposes of this direction Western pine means Idaho white pine, Ponderosa pine, and sugar pine.

(b) *Deliveries prohibited except on orders bearing special certificate.* No sawmill of the kind described in paragraph (a) above and no distributor may deliver Western pine lumber except on orders bearing one of the certificates described in paragraphs (g) and (h) below. These certificates may not be accepted by a sawmill or distributor unless they bear an authorization number.

(c) *Restriction on placement of orders by Class I consumers.* Except as authorized on Form WPB-3640 or GA-2425 (or by letter from the War Production Board amending the authorization on such forms) a Class I consumer may not place an order with a lumber supplier to obtain Western pine lumber. If the authorization on Form WPB-3640 or GA-2425 (or letter from the War Production Board amending the authorization) permits the Class I consumer to receive a specified amount of Western pine lumber then the Class I consumer may order and receive within the quarter for which the authorization is valid the amount (but no more) stated on the authorization. A Class I consumer authorized to receive Western pine lumber must use the certificate described in paragraph (g) below in addition to the regular certificate required by Order L-335. The certificate described in paragraph (g) below will not be valid and cannot be accepted by a distributor or sawmill unless the authorization number assigned to the Class I consumer is inserted in the space provided in the certificate. If authorization is on Form WPB-3640 for the second quarter, the authorization number appears in the upper right margin of the form, and if authorization is on Form WPB-3640 for the third quarter, or on Form GA-2425, the authorization number will be placed in column (c) on the line designated for Western pine lumber. If authorization to receive Western pine lumber is by letter amending an authorization on Form WPB-3640 or GA-2425 then the number will be assigned in that letter. All applications for authorization to order and receive Western pine lumber, whether filed on Form WPB-3640 or as a request by letter for reconsideration of a former action on Form WPB-3640

or GA-2425, shall include a statement specifying fully the use to which such lumber is to be put and the amount of lumber required for such use. Within the available supply authorizations will be granted only for essential purposes where substitutes for Western pine lumber cannot be used. Letters of request should be addressed to the War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Ref. L-335, Direction 2a, and letters requesting reconsideration must indicate the code letters and number appearing on the Form WPB-3640 or GA-2425 in the code number box marked "For WPB Entries Only."

(d) *Placement of orders by consumers other than Class I consumers.* Unless authorized in writing by the War Production Board or by paragraph (e) below no Class II consumer or farmer may place an order with a lumber supplier to obtain Western pine lumber. If a Class II consumer or farmer is authorized by the War Production Board in writing or by paragraph (e) below to receive Western pine lumber, he must use the certificate provided in paragraph (g) below on his orders for such lumber. That certificate will not be valid and may not be accepted unless the authorization number (assigned by the War Production Board) is inserted in the space provided for in the certificate. Requests for authorization to order and receive Western pine lumber shall be made by mailing a letter to the Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref. L-335, Direction 2a, stating fully the use to which such lumber is to be put and the amount required. Within the available supply authorizations will be granted only for essential purposes where substitutes for Western pine lumber cannot be used.

(e) *Class II consumer who received authorization in a previous quarter entitled to same authorization in subsequent quarters.* Any Class II consumer who was authorized to order and accept delivery of Western pine lumber in any specific calendar quarter and who needs the same or smaller amount of Western pine lumber in any subsequent quarter for the same purpose is permitted to use the certificate described in paragraph (g) below to order such amount of Western pine lumber from his supplier for delivery in the subsequent quarter. In using such certificate a Class II consumer must insert in the space provided in the certificate the authorization number which he was permitted to use in the quarter in which he was granted authorization, and the amount of Western pine lumber which he orders must not exceed his actual requirements for the quarter for which he places the orders. If such a Class II consumer needs more Western pine lumber than he was permitted to order in the quarter in which authorization was granted or needs it for a purpose other than the purpose for which he was then permitted to receive it, he must apply under paragraph (d) above for the additional amount or for the new purpose.

(f) *Limitation on manufacture of millwork out of Western pine lumber authorized under this direction.* Any Class I or Class II consumer who receives any Western pine lumber or has any Western pine lumber which he received on an order bearing the certificate described in paragraph (g) below is forbidden to use such Western pine lumber for millwork except in the manufacture of windows; sash; doors; window, sash and door frames; window and door screens; cut stock for such items; trim; mouldings; and any other millwork items for authorized construction projects rated AA-3 or higher.

(g) *Certificate required of consumers.* Any consumer (including a Class I consumer) who is authorized to receive Western pine lumber must provide his lumber supplier with the following certificate which is in addition to the regular certificate required by

Order L-335. This certificate may only be used by a consumer to obtain the amount of Western pine lumber which he is specifically authorized by the War Production Board to receive.

I certify to the supplier and to the War Production Board that this order together with all other orders that I have placed for Western pine lumber does not exceed the amount that I have been specifically authorized by the War Production Board to receive under Direction 2a to Order L-335. My "authorization" number is -----

Consumer

By _____
Duly authorized official

Date -----

(h) *Distributors extension of orders.* No distributor may place an order with a sawmill of the kind described in paragraph (a) above to get Western pine lumber except where the Western pine lumber is required for delivery on an order bearing one of the certificates shown in this direction or where the Western pine lumber is required to replace lumber in inventory which the distributor has delivered on an order bearing such a certificate. In extending such an order the distributor shall use the following certificate:

I certify to the supplier and to the War Production Board that the amount of Western pine lumber covered by this order does not exceed the amount which I have sold on unextended orders certified under Direction 2a to Order L-335. These unextended orders bear the following "authorization" numbers-----

Distributor

By _____
Duly authorized official

Date -----

This certificate is in addition to the regular certificate required of distributors by Order L-335 and need only be used to get Western pine lumber from sawmills of the kind described in paragraph (a) above.

(i) *Production of small sawmills excepted.* This direction does not apply to Western pine lumber produced by sawmills smaller than the size sawmill referred to in paragraph (a) above. Consumers (including Class I consumers) and distributors may order and receive such lumber from these small sawmills without regard to the provisions of this direction or any restrictions on Forms WPB-3640 or GA-2425 against the receipt of Western pine lumber. However, such a small sawmill may not deliver lumber on an uncertified order unless permitted under paragraph (t) of Order L-335 or under Direction 7 to Order L-335.

(j) *Distributors' old inventory may be excepted.* If a distributor wished to dispose of Western pine lumber which he received before December 31, 1944 without requiring his customer to give him one of the certificates described in paragraphs (g) and (h) above, he may do so but he is not required to deliver any Western pine lumber (even on a rated order) unless such a certificate is supplied by his customer. This applies also to Western pine lumber which the distributor ordered from a sawmill before December 2, 1944 if it was placed in transit by the sawmill before December 31, 1944. The restrictions of this direction and any restrictions on Forms WPB-3640 or GA-2425 against receipt of Western pine lumber do not apply to Western pine lumber that a consumer is able to get from this source.

(k) *Provisions of Order L-335 and other directions.* In the event there is any conflict between the provisions of this direction and the provisions of Order L-335 or any other direction, the provisions of this direction shall govern. However, nothing in this direction shall prevent a sawmill from delivering Western pine lumber to a consumer or a distributor on an uncertified order or on an order bearing only the regular certificate described in paragraph (q) of Order L-335, or the receipt of such lumber by a consumer or a distributor when specific authorization for such delivery has been granted under the terms of paragraph (t) of Order L-335.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11716; Filed, June 30, 1945;
12:04 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Order M-375, Direction 2]

RESTRICTIONS ON SALE OF RUBBER COATED WORK GLOVES

The following direction is issued pursuant to Order M-375:

On and after July 7, 1945, no manufacturer or processor of new rubber coated work gloves shall sell or deliver any of them except on rated orders. "Rubber coated work glove" means any type of band top, gauntlet style or knit wrist canton flannel work glove which has been immersed, sprayed or coated with rubber, reclaimed rubber or synthetic rubber for the purpose of making it resistant to acids, abrasives and similar hazards.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11719; Filed, June 30, 1945;
12:05 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended May 30, 1945, Amdt. 1]

Rubber Order R-1 as amended May 30, 1945, is hereby further amended as follows:

1. In § 4600.02, *Authorized consumption*, delete the reference to "aqueous dispersions of reclaimed rubber."

2. In § 4600.05, *Restrictions on delivery of materials*, change the first sentence to read as follows: "No person shall deliver any natural rubber, natural rubber latex, reclaimed rubber, synthetic rubber, or chlorinated rubber, except as specifically authorized by the War Production Board or as permitted by regulations of Rubber Reserve Company."

3. In § 4600.05, *Restrictions on delivery of materials*, change paragraph (b) to read as follows:

(b) Delivery of GR-S types, Neoprene (all types), Butadiene-Acrylonitrile (all types) or reclaimed rubber for permitted uses under this order. Transfers of GR-S, Neoprene, Butadiene-Acrylonitrile types, reclaimed rubber, or aqueous dispersions of reclaimed rubber must, however, be reported as shipments or receipts on Form WPB-3410 for the calendar month in which the transactions occur.

4. In § 4600.05, *Restrictions on delivery of materials*, change paragraph (c) to read as follows:

(c) Any person from accepting delivery from another of natural rubber, reclaimed rubber, synthetic rubber or chlorinated rubber, for the purpose of milling, washing, deresinating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

5. In § 4600.05, *Restrictions on delivery of materials*, delete paragraph (d).

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9476, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11721; Filed, June 30, 1945;
12:04 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Amdt. 1 to Appendix I, as Amended May 30, 1945]

Appendix I as amended May 30, 1945, to Rubber Order R-1, is hereby further amended as follows:

1. In Table A, *General Permitted Uses of Materials*, opposite "Reclaimed Rubber" in the column entitled "General permitted uses subject to applicable end product restrictions", change the second sentence to read:

The use of other than black reclaimed rubber for civilian use made from scrap tires or tire parts is permitted only for those end products listed in Table B of this Appendix I under Codes 16-A and 22-F.

2. In Table A, *General Permitted Uses of Materials*, opposite "Aqueous dispersions of reclaimed rubber" change the material in the column headed "General permitted uses subject to applicable end product restrictions" to read as follows:

In the manufacture of products listed below or of any other product to fill U. S. Army, Navy, Maritime Commission or Veterans' Administration orders. The use of other than black reclaimed rubber made from scrap tires, or tire parts, in the manufacture of aqueous dispersions for civilian use, is permitted only for those end products listed in Table B of this Appendix I, under Codes 16-A and 22-F.

3. In Table B, Code 9C, opposite "Flat transmission belting" in the column entitled "Special restrictions or provisions" change the poundage from "0.007" to read ".07"

4. In Table B, Code 11, *Packing and gaskets*, in the column entitled "Special restrictions or provisions", insert: "Color: black, unless otherwise indicated".

5. In Table B, Code 12C, *Electrical products equipment*, opposite the prod-

uct "Cable and test caps and separators," in the column entitled "Percent natural rubber", change "48" to "21"; and opposite the product "Lineman's sleeves", change the designation "X" to "50".

6. In Table B, Code 12D, *Hard rubber products*, opposite the product "Storage batteries and parts not elsewhere listed", in the column entitled "Special restrictions or provisions", insert "Manufacture of boxes not permitted".

7. In Table B, Code 12E, *Industrial equipment*, under "Pads 4" or more in thickness", opposite "40 and over shore hardness", in the column headed "Percent natural rubber" change "44" to "33".

8. In Table B, Code 17 and Code 17A, change the position of "17" so that it is alongside of the words "Proofing, combining or coating of fabric", and change the position of "17A" so it is alongside of the words "Compounds for the following".

9. In Table B, Code 17A, *Other purposes*, in the Butyl column change "O" to "X"; in "Special Restrictions or Provisions" column add: "Butyl permitted (except Tube Butyl) for Government orders only."

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11720; Filed, June 30, 1945;
12:04 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Regulation 29]

REVISED PRIORITIES SYSTEM

Par.

- (a) What this regulation does.
- (b) Transition period between old and new priorities system.
- (c) General description of new rating system.
- (d) Continued use of AA ratings in transition period.
- (e) Use of MM ratings in transition period.
- (f) Automatic rerating of 1946 military orders from AA to MM.
- (g) Military symbols.
- (h) End of Controlled Materials Plan.
- (i) Production materials for Class B and unclassified products during balance of 1945.
- (j) Maintenance, repair and operating supplies.
- (k) Construction, facilities and equipment.
- (l) Extension of customers' ratings.

(a) *What this regulation does.* This regulation describes the transition to the revised and simplified priorities system which is being adopted by the WPB because the military services have substantially reduced their supply programs as a result of victory in Europe. There will also be changes in other regulations and orders of the WPB. It may not be practicable to make all such changes before this regulation is published, and, if there

is any inconsistency between this regulation and any other regulation or order of the WPB, this one controls unless the other expressly states the contrary.

(b) *Transition period between old and new priorities systems.* The new priorities system described in this regulation is required because WPB proposes to discontinue priorities assistance for virtually everything except military requirements, as soon as war-supporting and essential civilian production no longer needs general help. The new system will be introduced gradually during the period from July 1 through December 31, 1945. This period, which is called the "transition period", will give business an opportunity to adjust its operations to the new system.

(c) *General description of new rating system.* The present system of AA ratings (AA-1, AA-2, AA-2X, AA-3, AA-4 and AA-5) and the Controlled Materials Plan will be discontinued by the end of 1945 and will be replaced by the following:

(1) The AAA rating will still be assigned in emergencies as under existing procedures.

(2) The new MM rating will be assigned by the Army and Navy and other military agencies. WPB Directive 41 and other WPB Directives will explain the rules governing the assignment of ratings by those agencies. The WPB will assign the MM rating to manufacturers of certain types of components who are not in a position to extend the MM ratings on their customers' orders, as explained in paragraph (1) below. In a few other instances, the WPB may assign MM ratings directly instead of through a military agency, but this will be done only where it is clearly necessary for the war effort or for requirements of similar urgency. Do not apply to WPB for an MM rating except as explained in paragraph (1) below or on the instructions of the officials of the government agency primarily concerned with the programs involved.

(3) The WPB will, if necessary, provide additional procedures to give priorities assistance for war supporting or highly essential civilian purposes. This may be in the form of a new rating junior to the MM rating or in the form of some other procedure. This will not be announced until more information is available as to the supply of materials for non-military use.

(4) During the transition period from July 1 to December 31, the MM rating is equivalent to AA-1.

(5) The AA rating system may be retained for certain materials such as textiles if it is not practicable to adapt existing controls to the new system. If this is done, the orders controlling these materials will be amended to make clear that some of the provisions of this regulation do not apply to such materials.

(d) *Continued use of AA ratings in transition period.* The AA rating system remains in effect until the end of 1945, except as follows:

(1) Beginning October 1, 1945, no more AA ratings will be assigned by the WPB or other agencies except for deliveries to be made before January 1, 1946.

(2) Before October 1, 1945, the WPB will cancel outstanding AA ratings calling for delivery after the end of 1945, wherever this can be done without interfering with war production or war supporting activities. Details as to what ratings are cancelled and how purchasers must unrate their orders will be announced later. However, if you have a rating for a delivery to be made to you in 1946, you may assume that the rating is still valid until October 1, 1945, unless it is specifically cancelled by a later regulation or other formal action of the WPB.

(3) On October 1, 1945 all remaining orders which carry AA ratings not previously cancelled by the WPB and which call for delivery on or after January 1, 1946 will become unrated automatically unless they are identified as military orders as explained in paragraph (f) below, or have been re-rated under the new rating system. This applies to ratings assigned both before and after the issuance of this regulation. Beginning October 1, 1945 no person may use AA ratings on orders calling for delivery after the end of the year, and suppliers who receive such orders with AA ratings must disregard the ratings.

(4) AA ratings may still be used till October 1, 1945 on orders calling for delivery in 1946. Also, the WPB will continue until October 1, 1945, to assign AA ratings in some cases, even on orders calling for delivery after the end of the year. This will be necessary to get orderly scheduling of those products which have to be ordered far in advance and to permit some producers to extend ratings for the delivery in 1945 of components that they will need before the end of the year to fill orders calling for delivery by them in 1946. Although such ratings will become invalid on October 1, 1945, suppliers cannot be sure that orders carrying AA ratings for delivery in 1946 will not be confirmed under the new rating system before the unrating of AA orders on October 1, 1945, and they must therefore accept such orders and keep them in their schedules until October 1 according to priority regulations.

(5) If you have an AA rated order on your books for delivery in 1946 and are permitted to extend your customers' ratings under Priorities Regulation 3, you may, until October 1, 1945, extend the rating for material to be delivered to you in 1945 or 1946. However, beginning October 1, 1945, you may not extend any of the AA ratings on your customers' 1946 orders to orders calling for deliveries to be made to you in 1945 or 1946. The automatic unrating of orders on your books as of October 1, 1945, for delivery after 1945 does not require you to unrate the orders to which you have properly extended your customers' ratings for delivery in 1945.

(e) *Use of MM ratings in transition period.* (1) Beginning as soon as possible after July 1, 1945, the military services will assign the MM rating in accordance with WPB Directives to orders and contracts placed during the transition period for delivery during or after the transition period. They may also change existing orders with AA ratings to MM

ratings, if necessary to assure delivery on schedule.

(2) The rules for the acceptance and filling of rated orders and the use of ratings are the same for the MM rating as for ratings in the AA series, except as otherwise stated in this regulation or other orders and regulations of the WPB. During the transition period the MM rating will be equivalent to an AA-1 rating.

(f) *Automatic rerating of 1946 military orders from AA to MM.* As of October 1, 1945, the following three kinds of orders bearing AA ratings will be automatically rerated MM and suppliers must then make any necessary changes in their 1946 delivery schedules. (These changes in delivery schedules must not be made before October 1, 1945, since it is expected that many military orders will be cancelled before then.) (1) AA rated orders on prime or subcontracts for delivery after December 31, 1945 which bear one of the military symbols listed below; (2) rated prime contracts and rated orders placed directly by one of the military agencies listed in paragraph (g) below to the extent that they call for delivery after December 13, 1945; and (3) orders not identified by a military symbol, but bearing AA ratings assigned by a military agency on Form WPB-542 for delivery after December 31, 1945. If you have received an order of either of the first two kinds, it is not necessary to get any confirmation from your customer of the rerating to MM, and, as of October 1, 1945 you may use the MM rating on orders to get materials needed to fill your rated order, subject to the rules for extension of ratings given in Priorities Regulation 3 and paragraph (l) below. In the case of the third kind of order, the person to whom the rating was assigned on Form WPB-542 must specifically rerate his purchase order MM to have this effect, and a supplier must not treat a purchase order as rated MM merely because it bears a WPB-542 serial number, Army or Navy contract number or other similar identification.

(g) *Military symbols.* (1) Orders which bear CMP allotment symbols with initial letters shown below will be automatically rerated MM as explained in paragraph (f) above:

"W"—War Department (except Ordnance).

"O"—War Department (Ordnance).

"N"—Navy Department.

"M"—Maritime Commission (Construction directed by Joint Chiefs of Staff and purchases for War Shipping Administration and Co-ordinator of Ship Repair and Conversion).

"C"—Aircraft Resources Control Office (Agent for Army Air Forces & Bureau of Aeronautics of the U. S. Navy).

(2) The above symbols must not be used on any orders except as explained in CMP Regulations 1 and 3.

(3) Canadian War Agencies corresponding to the above United States Agencies will also be authorized to use the MM rating. However, none of their orders are to be treated automatically as rated MM. They will specifically change the ratings, where the order calls for delivery after December 31, 1945, or

before if necessary to assure delivery on schedule.

(h) *End of Controlled Materials Plan.* (1) At the end of the transition period, December 31, 1945, the Controlled Materials Plan and all regulations and directions issued under it will automatically expire, except CMP Regulation 2, restricting inventories, and directions issued before then to individually named controlled materials producers, warehouses or distributors.

(2) During the third and fourth quarters of 1945, deliveries of controlled materials will continue to be regulated by the Controlled Materials Plan alone, and not by ratings. Thus prime and subcontractors on 1946 contracts will still have to get 1945 allotments if they need priorities assistance to get controlled materials in 1945.

(3) Effective immediately, deliveries of controlled materials scheduled to be made after the end of 1945 will be governed exclusively by the new rating system, and by such specific directions as the WPB may issue. Controlled material producers, distributors, and warehouses must accept and schedule orders for controlled materials for delivery after December 31, 1945, in accordance with Priorities Regulation 1 instead of under the Controlled Materials Plan. For the purpose of scheduling 1946 deliveries, authorized controlled material orders are to be treated, until October 1, 1945, as if they were rated MM. After that date, authorized controlled material orders for 1946 delivery are to be treated as unrated unless they are identified by one of the military symbols listed in paragraph (g) above, or have been rerated under the new rating system. Since suppliers of controlled materials cannot be sure that their authorized controlled material orders for 1946 delivery will not be confirmed under the new rating system before the unrating of non-military orders on October 1, they must accept and keep them on their books until October 1, 1945.

(4) Until October 1, 1945, persons who have allotments of controlled materials for the first quarter of 1946 and subsequent quarters may still place authorized controlled material orders and make allotments of controlled materials to their suppliers of Class A products. Authorized controlled material orders based on such allotments will be treated as though rated MM, until October 1, as explained above. However, persons who have unused allotments for the first quarter of 1946 and subsequent quarters may not convert these allotments into MM ratings but may only use them to place authorized controlled material orders, since many authorized controlled material orders will become unrated at October 1 or will be required to be cancelled before then.

(5) Persons who have received MM ratings may use them at any time during the transition period to place rated orders for delivery of controlled materials after the end of the year.

(6) The WPB will cancel 1946 allotments before October 1, 1945, wherever this can be done without interfering with war production or war supporting activi-

ties. Details as to what allotments are cancelled will be announced later. Holders of 1946 allotments may assume that they are still valid until October 1, 1945, unless they are specifically cancelled by a later regulation or other formal action of the WPB.

(i) *Production materials for Class B and unclassified products during balance of 1945.* Regular applications for allotments will not be required for the fourth quarter of 1945. Producers of Class B products and unclassified products will be notified of their allotments and ratings for delivery in the fourth quarter without filing an application. Some exceptions may be made, in which case manufacturers who must file applications will be notified. WPB's general policy with respect to giving limited additional priorities assistance for delivery of production materials during the balance of 1945 for civilian production is explained in Priorities Regulation 28.

(j) *Maintenance, repair and operating supplies.* (1) CMP Regulations 5 and 5A, and the P and U orders assigning priorities assistance for maintenance, repair and operating supplies, remain in effect through December 31, 1945, unless previously revoked. However, the use of the AA ratings and CMP allotment symbols assigned by these regulations and orders is subject to the restrictions stated above with respect to deliveries after the end of 1945.

(2) Under the new rating system, after December 31, 1945, ratings will generally not be given for maintenance, repair and operating supplies on a blanket basis similar to CMP Regulations 5 and 5A and the present P and U orders.

(k) *Construction, facilities and equipment.* (1) AA ratings for construction materials to be delivered during the transition period will be assigned by WPB under the conditions described in Order L-41 and the other orders and regulations covering specific kinds of construction. AA ratings for equipment required for reconversion to civilian production may be assigned as described in Priorities Regulation 24. AA ratings for equipment required for war supporting and essential civilian activities during the transition period will be assigned as in the past.

(2) Military agencies will assign the MM rating for certain construction, facilities, and equipment, as described in the appropriate WPB Directives, for materials to be delivered both during and after the transition period. In a few cases, the WPB may assign the MM rating for construction where it is clearly necessary for the war effort or for requirements of similar urgency. Do not apply to WPB for an MM rating for construction except on the instructions of, or after consultation with, the appropriate officials of the military or other Federal agency primarily concerned with the program involved.

(l) *Extension of customer's ratings.* The rules of Priorities Regulation 3 as to extension of customers' ratings apply to MM ratings in the same way as to AA ratings. Manufacturers of Class B products and unclassified products who receive their production material ratings

from the WPB and are forbidden by CMP Regulation 3 and Priorities Regulation 11B to extend their customers' ratings, may nevertheless extend customers' MM ratings for delivery after December 31, 1945. However, if such a manufacturer already has outstanding orders for 1946 delivery carrying AA ratings assigned by WPB, he must cancel these ratings before extending his customers' MM ratings. Most producers of such products are expected to get whatever priorities assistance they need for production materials after the end of the year by extending their customers' MM ratings. However, for producers of certain common components and similar products where it would be impracticable to extend customers' ratings, the WPB will announce later a system by which "rating patterns" will be assigned by the WPB for placing MM rated orders.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11793; Filed, June 30, 1945;
4:51 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-723, Reinstatement and Amendment]

AMLING'S OF CALIFORNIA, INC.

Amling's of California, Inc., a corporation engaged as a wholesaler in the shipment of California flowers and floral items largely to dealers outside of California, but to some dealers also within the State, using corrugated box containers in such shipments was suspended on February 19, 1945 by Suspension Order No. S-723. It appealed from the provisions of the suspension order and, pending final determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on March 1, 1945. The appeal has been considered by the Deputy Chief Compliance Commissioner who has directed that the stay be terminated as of June 30, 1945 and the suspension order be reinstated and amended as of July 1, 1945.

In view of the foregoing, it is hereby ordered that: § 1010.723. *Suspension Order No. S-723* effective February 19, 1945, be reinstated as of July 1, 1945, the stay be terminated as of June 30, 1945, and the suspension order amended by substituting the following paragraph (a) for the present paragraph (a):

(a) During the last two calendar quarters of 1945 and the first two calendar quarters of 1946, Amling's of California, Inc., its successors or assigns, shall reduce its acceptance and use of new fiber shipping containers under the provisions of Limitation Order L-317 (as applicable to its then operations, and as amended from time to time) so that its "footage quota" is reduced by the total amount of 70,250 square feet which shall be allocated so as to be not less than 14,000 square feet reduction in any one calendar quarter, and so that its "tonnage quota" is reduced by the total amount of

1,750 pounds which shall be allocated so as to be not less than 300 pounds in any one calendar quarter, otherwise the amounts of such reductions being distributed among the four calendar quarters as the corporation may see fit. The corporation may accelerate its reduction, in both footage and tonnage, at any time before the end of the second quarter of 1946. In the event of such acceleration upon presentation of evidence that the total reduction has been effected the suspension order shall be terminated.

Issued this 28th day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11790; Filed, June 30, 1945;
4:50 p. m.]

PART 3201—MINING

[Limitation Order L-208, Revocation]

GOLD MINING

Section 3201.6 *Limitation Order L-208* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11791; Filed, June 30, 1945;
4:51 p. m.]

PART 3201—MINING

[Preference Rating Order P-56, as Amended
June 30, 1945]

MINES AND SMELTERS

§ 3201.11 *Preference Rating Order P-56—(a) Purpose and scope.* This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include not only maintenance, repair, and operating supplies, including controlled materials, but also machinery, other kinds of materials, and equipment.

(b) *Definitions.* (1) "Producer" means a person operating any of the following enterprises, whether in the United States, or any of its territories, or in a foreign country: (i) any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment of the products of mining activity; (ii) any plant wholly engaged in the processing and burning of refractories; (iii) any plant producing any material listed below by smelting or refining processes, and to whom a serial number has been issued under Preference Rating Order P-73, or is hereafter issued as provided in paragraph (c):

Antimony
Cobalt
Copper
Iridium
Lead
Mercury
Molybdenum

Nickel
Platinum
Tin
Tungsten
Vanadium
Zinc

(iv) any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects, including the construction of access roads; and (v) mines, concentrating mills, smelters, railroads, power plants, refineries, and appurtenances owned and operated by the companies holding serial numbers under Preference Rating Order P-58 on December 24, 1943.

(2) "District" means a mine supply control district of the Foreign Economic Administration.

(3) "Maintenance, repair, and operating supplies" means material used for the following purposes by producers in the conduct of enterprises described above in paragraph (b) (1): (i) minimum upkeep necessary to continue the working condition of essential property or equipment, and (ii) restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service; and supplies which are essential to and consumed or worn out in the conduct of such enterprises. In addition, except as hereinafter noted, the term "maintenance, repair, and operating supplies" includes minor capital additions normally necessary to the operation of the enterprise, but not exceeding in cost \$500 (excluding purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph.

Producers Holding Serial Numbers

(c) (1) *Maintenance, repair, and operating supplies for domestic producers with serial numbers.* Producers located within the United States, its territories and possessions (herein called "domestic" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), are hereby assigned a preference rating of AA-1 for the purchase of maintenance, repair, and operating supplies, other than controlled materials. This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by endorsing his delivery order with the endorsement described in paragraph (g) and inserting therein the allotment symbol "S-7" and appropriate quarterly abbreviation. An order bearing this endorsement constitutes an authorized controlled material order. No serialized producer shall order for delivery during any calendar quarter, with or without

preference ratings, or allotment number, maintenance, repair, or operating supplies in an aggregate amount exceeding 120 percent of his aggregate expenditures for maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. A producer who has several plants or other operating units which maintain separate records of maintenance, repair, and operating supplies may treat each of them separately for purposes of complying with the provisions of this paragraph (c) (1).

(2) *Maintenance, repair, and operating supplies for foreign producers with serial numbers.* Producers located outside the United States, its territories and possessions and outside of Canada,¹ (herein called "foreign" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), may apply for priorities assistance for maintenance, repair, and operating supplies by filing the foreign mine quota application Form WPB-2937 with the Mining Division, War Production Board, Washington 25, D. C.

(3) *Machinery and equipment.* All producers holding serial numbers, whether domestic, foreign, or Canadian, may apply for priority assistance in obtaining machinery and equipment by filing Form WPB-1319 in accordance with the WPB-1319 instruction pamphlet for items of equipment listed therein. Also, for items of equipment not listed in the instruction pamphlet for which a preference rating is required without authorization on a special form, application should be made on Form WPB-1319. For items of equipment not listed in the WPB-1319 instruction pamphlet, for which orders of the War Production Board require application for specific authorization to be made on a special form, application should be made on such special form. All applications should be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref. P-56, unless otherwise provided in the WPB-1319 instructions. If necessary, Form WPB-1319 or the special form may be accompanied by a letter explaining any unusual circumstances. No application is necessary in the case of minor capital additions as defined in paragraph (b) (3) unless a special form is required by another order of the War Production Board.

Foreign Producers Operating Under Mine Supply Control Districts

(d) *Priorities assistance for certain foreign producers operating under mine supply control districts.* To enable a producer not holding a serial number hereunder and located outside the continental United States and within the jurisdiction of a district to obtain priorities assistance, the following procedure is established:

(1) For maintenance, repair, and operating supplies a district may apply for priorities assistance by filing the foreign mine quota application Form WPB-

¹ Producers located in Canada, whether or not they hold serial numbers issued under this order, may obtain maintenance, repair, and operating supplies in the United States under Canadian order PO5B.

2937 with the Mining Division, War Production Board, Washington 25, D. C., Ref. P-56. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair, or operating supplies, together with such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (d) (1), such district may authenticate any such purchase order for maintenance, repair, or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

Name of district

Signature of authorized official

(2) For other machinery, materials, and equipment, a producer not holding a serial number and located within a district may submit to the War Production Board, Form WPB-1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), such application to be endorsed with the signed approval of the district within which the applicant is located.

(3) A distributor of maintenance, repair, or operating supplies or of other machinery, materials, or equipment used by producers, who is located outside the United States and within the jurisdiction of a district, may apply for priorities assistance in the same manner as prescribed in paragraphs (d) (1) and (d) (2) for producers not holding serial numbers and located within the jurisdiction of a district.

Other Producers Not Holding Serial Numbers

(e) (1) *Priorities assistance for other producers not holding serial numbers.* A preference rating of AA-5 is hereby assigned to delivery orders for maintenance, repair, and operating supplies (including minor capital additions as defined in paragraph (b) (3)), other than controlled materials, placed by domestic producers not holding serial numbers. This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by placing on his delivery order the endorsement described in paragraph (g) and inserting therein the allotment symbol "S-7" and appropriate quarterly abbreviation. An order bearing this endorsement constitutes an authorized controlled material order. No producer who uses the allotment symbol assigned by this order shall order controlled materials for delivery during any calendar quarter in an amount exceeding 120 percent of his aggregate expenditures for controlled materials for use as maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. Such producers may apply for higher ratings for maintenance, re-

pair, or operating supplies exclusive of minor capital additions by filing Form WPB-2910 with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P-56; and for higher ratings, or for specific authorization if such is required, for minor capital additions, such producers may apply on Form WPB-1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), except that Form WPB-1319 shall be filed with the War Production Board regional or district office in which is located the Technical Advisor for Mining for the area in which the enterprise is located, and only the special application form, when one is prescribed, shall be filed with the Mining Division in Washington, D. C. Such producers may apply for priorities assistance for machinery or equipment by filing Form WPB-1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P-56. Foreign producers, not holding serial numbers and not located in a mine supply control district, may apply for priorities assistance for maintenance, repair, and operating supplies, exclusive of minor capital additions, by filing Form WPB-2910 with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P-56, and for machinery or equipment, including minor capital additions, by filing Form WPB-1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P-56.

Serial Numbers

(f) *Issuance of serial numbers.* Applications for serial numbers may, in the case of producers within the continental limits of the United States, be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Advisor, Mining Division; or with the appropriate State Coordinator of Mines for transmission to such Regional Advisor; or with the Mining Division, War Production Board, Washington, D. C. Serial number application by districts must be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref: P-56. Applications by Canadian and all other foreign producers should also be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref: P-56. In filing such application, the following forms shall be used:

Metal mines.....	Form WPB-1212
Coal mines.....	Form WPB-2784
Non-metallic mines.....	Form WPB-2758
Core or churn drill operators	Form WPB-2952

Smelters and refineries shall apply by letter. In issuing and cancelling serial numbers, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of the critical material in-

involved, and the importance to national defense of competing demands for such material, and competing demands for manpower and transportation. Serial numbers issued under Preference Rating Orders P-58 and P-73, and not cancelled prior to December 24, 1943, are hereby confirmed and shall be considered as having been issued under this Order P-56.

Use of Priorities Assistance; All Producers

(g) *Application and extension of priorities assistance.* The way to use preference ratings is explained in Priorities Regulation No. 3, and the way to use allotments, both in placing authorized controlled material orders and in making allotments, is explained in CMP Regulation No. 1. Instead of using the certification prescribed by those regulations or by any other regulation of the War Production Board, including Priorities Regulation No. 7, the producer may use the following endorsement signed manually or as provided in Priorities Regulation No. 7:

Allotment number _____
 Preference rating _____
 Order authorized under Preference Rating
 Order P-56, Serial No. _____

He shall not add the symbol "MRO" despite the certification instructions in CMP Regulation No. 5 or any other regulation. Requirements of other orders of the War Production Board as to special certifications remain applicable, but the foregoing endorsement shall be added to such certification. The use of the foregoing endorsement by a producer shall constitute a representation by the producer to the seller and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code (18 U. S. C. 80), that to the best of the producer's knowledge and belief he is authorized under applicable War Production Board orders and regulations to place the delivery order, to receive the item ordered for the purpose for which ordered, and to use the preference rating or allotment symbol for this purpose. Preference ratings assigned under this order for maintenance, repair, and operating supplies may not be used to obtain items on List A or List B of Priorities Regulation No. 3, except where that regulation permits the use of a P-56 rating for a particular item.

(h) *Restrictions on receipts and inventories.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation 2, receipts and inventories of producers shall be subject to the following restrictions only: No producer shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(i) *Restrictions on use and resale of material.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no producer

shall use any material, whether or not obtained pursuant to this order, for any purpose other than that for which priorities assistance was granted to acquire it; nor may he sell any material (including machinery and equipment), which he has used in the conduct of any enterprise described in paragraph (b) (1), whether or not he obtained such material with priorities assistance under this or any other order, except:

(1) To a producer holding a serial number hereunder, or

(2) With the written approval of the War Production Board applied for by letter to the Mining Division, or

(3) With the written approval of a district if he is a non-serialized producer located within such district, or

(4) As permitted by Priorities Regulation No. 13.

Applicability of Other Regulations and Orders

(j) (1) *CMP Regulation No. 5 and other regulations of the War Production Board.* None of the restrictions contained in CMP Regulation No. 5 shall be applicable to producers, and no producer shall obtain any material under CMP Regulation No. 5. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For example, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P-56 are in the same position providing that certification clauses and all other provisions of such other orders are complied with.

(2) *Restriction on use of priorities assistance.* No serialized foreign producer or district shall acquire maintenance, repair, or operating supplies through the use of any preference rating except after having received an approved application on the foreign mine quota application Form WPB-2937, or, in the case of a non-serialized foreign producer located outside a district, on Form WPB-2910, from the Mining Division, War Production Board, Washington 25, D. C. No producer shall acquire any machinery or equipment (other than maintenance, repair, and operating supplies) through the use of any preference rating or any specific authorization of the War Production Board except after filing Form WPB-1319 or any prescribed special application form in the manner above provided, or except after filing a project application.

Miscellaneous Provisions

(k) *Records and orders.* Each producer and each distributor acquiring maintenance, repair, or operating supplies pursuant to this order shall keep and preserve for a period of not less than two years accurate and complete records of all such materials so acquired and used or disposed of which shall upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Reports.* Producers shall file such report forms as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942. The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Additional assistance and appeals in individual cases.* If the sound working condition of a producer is adversely affected by any provisions of this order or by inability to obtain material essential for repair, maintenance, or operating supplies, the producer may apply to the War Production Board for additional assistance by letter, in duplicate, giving the reasons why such assistance is essential. If an increased quota is sought, the present quota should be stated. In case of breakdown, imminent breakdown, or other emergency, the application may be made by telegraph or telephone either to the Mining Division, Washington, D. C., or to the nearest regional or district WPB office.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to the Mining Division, War Production Board, Washington 25, D. C., Ref: P-56.

(o) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

APPLICABILITY TO CUTTING AND POLISHING OPERATIONS AT THE QUARRY

The term "producer" as defined in Preference Rating Order P-56 includes persons operating a quarry and also persons conducting further cutting and polishing operations at the quarry site, such as the manufacture of building stone and tombstones. These latter operations are included in the phrase "preparation for shipment, of the products of mining activity" appearing in paragraph (b) (1) (i) (§ 3201.11) of the order.

Since paragraph (j) (1) of the order forbids "producers" from obtaining any materials under CMP Regulation 5, producers of tombstones or other stone products at the quarry site may not operate under this regulation but must get priorities assistance exclusively under Order P-56.

The manufacture of tombstones and structural stone at a separate plant away from the quarry is not covered by Order P-56, and priorities assistance for MRO supplies required in such operations may be obtained under CMP Regulation 5. Under CMP Regulation 5, a rating of AA-2 is assigned to persons engaged in the manufacture of struc-

tural stone, while persons engaged in the manufacture of tombstones and monuments may use the AA-5 rating which is assigned under that regulation to unlisted business. (Issued Nov. 13, 1943.)

[F. R. Doc. 45-11792; Filed, June 30, 1945; 4:51 p. m.]

PART 903—DELEGATIONS OF AUTHORITY [Directive 41]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

§ 903.54 *Directive 41—(a) Purpose and effect.* The purpose of this directive is to delegate to and define the authority of the Army and Navy Munitions Board with respect to the assignment of preference ratings. It replaces, effective July 1, 1945, Directives 23, 31 and 32. The assignment of preference ratings for deliveries to be made on or after July 1, 1945, will be governed by this Directive 41. However, this directive shall not affect the validity of preference ratings heretofore properly assigned.

(b) *Priorities instructions of the Army and Navy Munitions Board.* The Army and Navy Munitions Board, after approval by the War Production Board, may issue instructions governing the assignment of preference ratings within limits prescribed by WPB program determinations covering contracts, purchase orders and other similar procurement documents for the delivery of materials (including products, commodities, equipment, accessories, parts or assemblies) to or for the account of:

(1) The Army (including the Panama Canal) and the Navy (including the Marine Corps and the Coast Guard). This does not include material procured by either of the above under the Act of March 11, 1941 (Lend-Lease Act) which is not for the direct use of the armed services of a foreign country.

(2) U. S. Army and Marine Corps Post Exchanges, U. S. Navy and Coast Guard Ships Service Departments, War Shipping Administration Training Organization Ships Service Activities, all for overseas or shipboard use only (except for items specifically approved for domestic use in WPB program determinations).

(3) The following agencies of the Federal Government: Coast and Geodetic Survey, National Advisory Committee on Aeronautics, Civil Aeronautics Administration (only for activities performed at the request or under the sponsorship of the Army or Navy), Selective Service System, Office of Scientific Research and Development, Office of Strategic Services, Weather Bureau, U. S. Soldiers Home (Washington, D. C.), War Shipping Administration, Maritime Commission (only for ship construction directed by the Joint Chiefs of Staff), and the Coordinator of Ship Repair and Conversion.

(4) American Red Cross and United Service Organizations, Inc., activities directly connected with military personnel.

(5) Foreign Governments, for the procurement of material on a cash basis for the use of their armed services.

(6) Institutions and schools training military personnel under supervision of the military.

(7) Units of the Reserve Officers Training Corps, for the purchase of uniforms for trainees.

(c) *Deliveries which may be rated.* The Army and Navy Munitions Board may assign preference ratings to:

(1) Deliveries in fulfillment of contracts and purchase orders of the kinds described in paragraph (b), including deliveries of material to be incorporated in command construction, Engineers Corps construction, Panama Canal construction or Maritime ship construction. (See paragraphs (2), (3), (4) and (5) below.)

(2) Command construction; that is, the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: air fields; military housing; facilities for the repair of finished items of munitions; ports and depots; overseas or theatre of operations construction; seacoast fortifications; military hospitals; maneuvering, training and staging areas and proving grounds.

(3) Engineers Corps construction; that is, projects which (i) have been approved for rating by the War Production Board, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces) in accordance with a design directive approved by an authorized representative of the War Production Board and (iii) will be owned, leased, maintained or operated by or under the direction of the War Department, and financed by War Department funds.

(4) Panama Canal construction; that is, projects (other than command construction) which are owned by the Panama Canal.

(5) Maritime ship construction; that is, construction of ships directed by the Joint Chiefs of Staff.

(6) Maritime MRO and inventories; that is, deliveries of materials and equipment immediately required for the maintenance, repair and operation of ships under the control of the War Shipping Administration, facilities directly operated by the Maritime Commission or War Shipping Administration or the Coordinator of Ship Repair and Conversion for the prosecution of the war, and neutral ships in ports of the United States after clearance of the vessel's status has been made with the Foreign Economic Administration; also deliveries of material for inventory purposes (not exceeding a 90-day inventory) to ship repair yards, to ship repair facilities, to river and harbor maintenance facilities, to ship chandlers and other distributors of marine supplies, and to sales and distribution outlets of manufacturers of marine supplies, *Provided*, That such material is of a kind necessary for shipping activities connected with the prosecution of the war and that such ship chandlers and other distributors of marine supplies, and sales and distribution outlets of manufacturers of marine supplies are specifically named by the Maritime Commis-

sion in a list approved by the War Production Board.

(7) Deliveries of materials to prime contractors or subcontractors for packaging and preserving, within the period of time specified in the Contract Settlement Act of 1944, materials and equipment owned by the government at the termination of production contracts; but only on condition that the rating shall be assigned on a form specifying the kinds and amounts of government owned materials and equipment to be prepared for storage or shipment and the kinds and amounts (units or dollar value) of packaging and preservative materials for which the rating is assigned.

(8) Deliveries of machine tools or other productive capital equipment to prime contractors or subcontractors to produce items being procured under a prime Army or Navy contract. Provided, however, that every preference rating certificate which assigns a rating to the delivery of capital equipment or machine tools (whether such delivery is to be made directly to the Army or Navy or other Government agency or to a prime or subcontractor thereof), shall prior to issuance be reviewed and approved by a duly authorized official of the War Production Board, as stated in paragraph (h), unless the preference rating certificate is countersigned under any of the following circumstances:

(i) Where the total value of the delivery or deliveries rated by the instrument does not exceed \$500. Purchases shall not be divided for the purpose of making this exemption available.

(ii) Where the countersigning takes place outside of the 48 States, the District of Columbia and the Dominion of Canada.

(iii) Where the capital equipment or machine tools are for shipboard use (including floating dry docks), or are for use outside the 48 States and the District of Columbia for military operations.

(iv) Where capital equipment not including machine tools is purchased by or for the account of the Army or the Navy for military operations.

(v) Where the certificate assigns a rating to a command construction project, as defined in paragraph (c) (2) above, of which the capital equipment or machine tools are only a part.

(vi) Such cases as may be exempted in writing by the War Production Board on the recommendation of the Tools Division.

(vii) A purchase made pursuant to approval given by a commanding officer, commandant, or the Bureau of Supplies and Accounts of the Navy, or by a commanding officer of a defense command of the Army, in an emergency where the degree of urgency is such that advance approval by a War Production Board official cannot be obtained: *Provided*, That in each such case a copy of the rating document is mailed within 24 hours after issuance to the appropriate Regional Office of the War Production Board.

(d) *Rating of military construction.*

(1) All construction, other than that covered by the provisions of paragraphs (c) (2), (c) (3), (c) (4) and (c) (5) will

be rated only by the War Production Board, even though the facilities when completed will be owned, leased or operated by the Army, Navy or Maritime Commission.

(e) *Redelegation of authority to assign ratings.* The authority delegated to the Army and Navy Munitions Board in paragraph (c) may be redelegated by the Board only to authorized officials of the agencies enumerated in paragraphs (b) (1), (b) (2) and (b) (3) except that the authority to assign preference ratings under paragraph (c) (6) may be redelegated only to the Maritime Commission, the War Shipping Administration and the Coordinator for Ship Repair and Conversion and officials thereof.

(f) *Method of assigning ratings.* (1) Where the preference rating is to be assigned to a production schedule at the time allotments are made, or to construction, the preference rating shall be assigned on an allotment form, on a construction authorization form, on Form WPB-542, or as prescribed in subparagraph (3) below.

(2) All other preference ratings assigned under this directive shall be assigned on Form WPB-542 or Form WPB-646 or as prescribed in subparagraph (3) below.

(3) When any Government agency having the authority assigns a preference rating to deliveries to be made to or for its account, it may do so by placing the rating on the purchase order or contract and endorsing the order or contract with a certification substantially as follows: "By authority of the War Production Board the preference ratings indicated are assigned to the deliveries on this purchase order or contract." This certification may be placed on a purchase order or contract by means of a rubber stamp or printed on the order or contract form. The certification need not be signed separately if the purchase order or contract is signed by an official who is authorized to assign the ratings on behalf of the agency which is placing the order or contract. This method of assigning the rating may not be used when the assignment of the rating is subject to review and approval by the War Production Board before issuance, nor when materials are ordered by prime or subcontractors for packaging and preserving materials and equipment owned by the government at the termination of production contracts.

(4) Re-ratings may be issued or effected with the War Production Board program determinations in the manner prescribed by Priorities Regulation 12.

(5) Every rating assigned under this directive on a form or certification shall be assigned in the manner prescribed therein without attaching any further conditions or qualifications, except that in approving any Form WPB-542 for capital equipment or machine tools the War Production Board may limit the use of the rating to a specific make of equipment or may provide that delivery may only be obtained from a specified supplier.

(g) *Application and extension of ratings.* Ratings assigned under this directive may be applied and extended

only in accordance with applicable regulations of the War Production Board.

(h) *Procedure for review and approval of rating actions by War Production Board officials.* (1) Every Form WPB-542 submitted for review and approval under this directive shall be accompanied by Form WPB-542.1 containing a statement of the proposed use of the capital equipment or machine tools requested.

(2) Instruments assigning the rating to the delivery of capital equipment or machine tools required in connection with a production project in a single plant shall be submitted to the War Production Board as follows:

(i) Where the total cost of all tools and equipment required for the project is less than \$100,000 the instruments shall be submitted after countersignature by the appropriate Service Officer to the War Production Board field office within whose jurisdiction the tools or equipment are to be located. The instruments shall be approved by the War Production Board official of such office only after he has determined that the item or items requested are required and that no existing equipment or subcontracting facilities are available which are suitable and appropriate for the purposes for which the items are requested or that such determinations cannot be made within fifteen days after receipt thereof. Purchases shall not be divided for the purpose of coming within this subdivision (i). The fact that the equipment or machine tools appear on a single preference rating application or on several such applications shall not determine whether the capital equipment or machine tools are in connection with a single given project, but the War Production Board field office shall determine this after full consideration of all the facts surrounding such application or applications.

War Production Board field offices will work closely with the regional offices of Reconstruction Finance Corporation to make full use of any existing regional surpluses. In addition, War Production Board field offices shall refer requests for major items of capital equipment and machine tools to Industrial Equipment Redistribution Board, 811 Vermont Avenue, Washington, D. C., so that they may be checked against the national list of surplus or available equipment. For the purpose of this subdivision, a major item of capital equipment or machine tools means any machine tool or other item of capital equipment which has a retail sales price of \$3,000 or more.

(ii) Where the total cost of all tools and equipment required for the project is \$100,000 or more the instruments shall be submitted after counter-signature by the appropriate Service Officer to the appropriate War Production Board field office specified in subdivision (i) above or the Routing and Issuance Section of the War Production Board, Washington 25, D. C., at the option of the sponsoring agency. If such an instrument is submitted to the War Production Board field office under this subdivision, the field office shall not approve it but shall recommend the granting or denying of

approval and forward it, together with its recommendation, to the Tools Division of the War Production Board for approval or disapproval in accordance with prescribed procedures.

(iii) Where the War Production Board from time to time specifies certain equipment as to which instruments assigning a rating for delivery thereof shall follow the procedure specified in subdivision (ii) above, that procedure shall govern irrespective of whether the capital equipment or machine tools may have a total cost of less than \$100,000.

(3) Whenever the War Production Board is advised that a suitable substitute is available for a particular item, it may delete the item from the rating instrument and advise the applicant that he must use the existing equipment. The War Production Board may reinstate any item deleted from a rating instrument pursuant to this paragraph if, upon investigation, it is established that the substitute item recommended is not in fact suitable or available. Application for reinstatement of an item should be made by the applicant through the appropriate countersigning Service Officer to the War Production Board office which reviewed the original rating instrument. The appropriate countersigning Service Officer should submit an amended instrument bearing a reference to the number of the original instrument with a full written explanation of why the recommended substitute equipment cannot be used. The amended instrument need only cover the deleted items for which reinstatement is requested. Application for reinstatement may be made by letter instead of an amended instrument when the original instrument was reviewed by the War Production Board in Washington.

(4) When an instrument which has been countersigned by the appropriate Service Officer under paragraphs (2) or (3) above is disapproved by a War Production Board official in a War Production Board field office, the Service Officer may request the War Production Board field office to forward the latter's entire file in the matter, together with a statement of the facts to the Tools Division of the War Production Board, at the same time forwarding a copy of the statement of facts to the Army and Navy Munitions Board in Washington. The War Production Board may in its discretion issue the instrument in question.

(5) The review and approval of a rating instrument shall be evidenced by endorsing the certificate "Reviewed and approved under Directive 41" over the official signature of the War Production Board.

(i) *Authority to change destination of shipments or to allot materials.* Specific authority to issue on Form GA-209 instructions to contractors and subcontractors for change in destination of shipments of items being produced for Army or Navy programs, or authority to allot specific materials for specified purposes, may be delegated from time to time to officers of the Army and Navy respectively, by the Chairman or Program Vice Chairman of the War Production Board.

(j) *Directives and delegations of authority superseded.* This directive supersedes Directives 23, 31 and 32 and all individual delegations of authority to assign preference ratings which have heretofore been issued by officials of the War Production Board to the Army and Navy Munitions Board or to any service of the Army, to the Army Air Forces or to any Bureaus of the Navy or Maritime Commission.

(k) *Effective date.* This directive shall take effect on July 1, 1945.

Issued this 30th day of June 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-11711; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-95, Revocation]

HERBERT S. KOHLBUSH

Suspension Order No. S-95 was issued September 9, 1942, effective September 14, 1942, against Herbert S. Kohlbush, Huntington Beach, California, for violation of Conservation Order M-68. The Chief Compliance Commissioner has directed that Suspension Order No. S-95 be revoked forthwith. In view of the foregoing, it is hereby ordered, that: § 1010.95 *Suspension Order No. S-95* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11722; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-96, Revocation]

CHESTER F. DOLLEY

Suspension Order No. S-96 was issued September 9, 1942, effective September 14, 1942, against Chester F. Dolley, Torrance, California, for violation of Conservation Order M-68. The Chief Compliance Commissioner has directed that Suspension Order No. S-96 be revoked forthwith. In view of the foregoing, it is hereby ordered, that: § 1010.96 *Suspension Order No. S-96* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11723; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-739, Revocation]

DUFFY SILK CO.

Suspension Order No. S-739 was issued March 14, 1945, against the Duffy Silk Company of 1270 Broadway, Buffalo, New York, for violation of Conservation

Order L-41. In view of the recent amendment to Conservation Order L-41, the Chief Compliance Commissioner has directed that Suspension Order No. S-739 be revoked forthwith. In view of the foregoing, it is hereby ordered, that: § 1010.739 *Suspension Order No. S-739* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11724; Filed, June 30, 1945;
12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-777, Amdt. 2]

BENTON HARBOR MALLEABLE INDUSTRIES

Suspension Order No. S-777 was issued April 30, 1945, effective May 7, 1945, against Benton Harbor Malleable Industries, a Michigan corporation with offices at Benton Harbor, Michigan. On June 19, 1945 the Suspension Order was amended by the addition of paragraph (g). The Chief Compliance Commissioner has directed that the order be further amended so that the suspension order shall not apply to purchase orders bearing ratings of AA-3 and higher. In view of the foregoing, it is hereby ordered, that: *Suspension Order No. S-777* issued April 30, 1945 and effective May 7, 1945 as amended June 19, 1945 be further amended by adding the following paragraph (h):

(h) The provisions of this order shall not apply to purchase orders bearing ratings of AA-3 and higher.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11728; Filed, June 30, 1945;
12:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-802, Revocation of Stay of Execution]

HUDSONVILLE BOX AND BASKET CO.

Hudsonville Box and Basket Company, a Michigan corporation with principal offices at Hudsonville, Michigan was suspended on June 2, 1945 effective June 9, 1945 by Suspension Order S-802. The order was stayed on June 23, 1945. The Chief Compliance Commissioner, after further investigation has directed that the stay be revoked. In view of the foregoing, it is hereby ordered, that:

The stay of *Suspension Order S-802* issued June 23, 1945 be revoked.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11729; Filed, June 30, 1945;
12:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-831, Stay of Execution]

RUBY LIGHTING CORP.

Ruby Lighting Corporation, a corporation, 1216 South Olive Street, Los Angeles, California is appealing from the provisions of Suspension Order No. S-831 and has requested a stay. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing, it is hereby ordered, that: The provisions of *Suspension Order No. S-831* issued June 23, 1945 and effective June 30, 1945, be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 45-11731; Filed, June 30, 1945; 12:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-836]

STERLING BATTERY CO.

Benjamin Gelardin and his wife, Beatrice Gelardin, co-partners doing business under the trade name of Sterling Battery Company at 3815 East Tremont Avenue, New York City, are engaged in the manufacture and sale of flashlight batteries. During the fourth quarter of the year 1944 they made and delivered 1,362,205 flashlight batteries in excess of their authorized quota in violation of General Limitation Order L-71. They also failed to keep and preserve accurate and complete records of their manufacture, inventories and shipments of the flashlight batteries in violation of Priorities Regulation No. 1. The partners were aware of the provisions of Limitation Order L-71 and Priorities Regulation No. 1, and their actions constituted grossly negligent violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.836 *Suspension Order No. S-836.* (a) Benjamin Gelardin and Beatrice Gelardin doing business under the trade name of Sterling Battery Company or otherwise, their successors and assigns, shall reduce their manufacture and deliveries of flashlight batteries on non-rated purchase orders below the number they would otherwise be authorized to manufacture and deliver under Limitation Order L-71, as follows: during the third quarter of 1945, by 370,700 batteries; during the fourth quarter of 1945, by 370,770 batteries; and during the first quarter of 1946 by 196,835 batteries, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Benjamin Gelardin and Beatrice Gelardin, doing business under the trade name of Sterling Battery Company or otherwise, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 45-11830; Filed, July 2, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-837]

SMITH ENVELOPES, INC.

Smith Envelopes, Inc., a Michigan corporation, with offices at 2460 East Grand Boulevard, Detroit, Michigan, operates a plant for the printing and lithographing of envelopes and letterheads, and during the first, second and third quarters of 1944 the company as a converter consumed, in the manufacture of envelopes and letterheads, 124,705 pounds of paper in excess of its quota, in violation of General Conservation Order M-241-a.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.837 *Suspension Order No. S-837.* (a) During the three calendar quarters beginning July 1, 1945 and ending April 1, 1946, Smith Envelopes, Inc. shall reduce its consumption of paper in the manufacture of envelopes and letterheads by using, during each of the third and fourth quarters of 1945 and the first quarter of 1946, at least 31,568 pounds less than the quota it would otherwise be entitled to use during these quarters as specified by the provisions of Conservation Order M-241-a, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Smith Envelopes, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Smith Envelopes, Inc., its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 45-11831; Filed, July 2, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-838]

FRANK YOUNG

Frank Young of Hatfield, Pennsylvania, during the period between June 1, 1944 and June 3, 1945, did construction in erecting a one-story brick detached dwelling containing seven rooms and bath, located on the north side of Cowpath Road, approximately one-half mile east of Hatfield, Pennsylvania, without authorization from the War Production Board, and in violation of Conservation Order L-41. On April 9, 1945, Frank Young admitted that the cost of the house had exceeded \$2,900, and he voluntarily agreed to stop construction at that time. In spite of this agreement he has continued the construction and the building is now occupied by him. Frank Young's action in beginning and carrying on this construction without authorization from the War Production Board constitutes a willful violation of Conservation Order L-41.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.838 *Suspension Order No. S-838.* (a) Neither Frank Young, his successors or assigns, nor any other person, shall do any construction on the premises located on the north side of Cowpath Road, approximately one-half mile east of Hatfield, Pennsylvania, including putting up, altering or completing any structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Frank Young from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 45-11832; Filed, July 2, 1945; 11:23 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Revocation]

Section 1029.15 *Limitation Order L-257* and Directions 1, 3, 4, 5, 6 and 7 to that order, are revoked. This revocation does not affect any liabilities incurred for violation of the order or directions or of actions taken by the War Production Board under the order or directions. The order and directions are superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 45-11814; Filed, July 2, 1945; 11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Revocation of Schedule B]

Section 1029.17 *Schedule B to Limitation Order L-257* is revoked. This revocation does not affect any liabilities incurred for violation of the schedule or of actions taken by the War Production Board under the schedule. The schedule is superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11815; Filed, July 2, 1945;
11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, Revocation]

EXPORTS

Section 1029.16 *Limitation Order L-257-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The order is superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11816; Filed, July 2, 1945;
11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, Revocation of Export Schedules X-11 through X-18]

Section 1029.18 *Export Schedules X-11 through X-18 to Limitation Order L-257-a* is revoked. This revocation does not affect any liabilities incurred for violation of the schedules or of actions taken by the War Production Board under the schedules. The schedules are superseded by Order L-257-c.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11817; Filed, July 2, 1945;
11:24 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-c, Direction 1]

PRODUCTION DIRECTIVE FOR HAMES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hames and of materials and facilities used in the production of hames for defense, for private account and for export. It is deemed necessary and appropriate in the public interest and to promote the national defense to assign priority to orders for hames and to allocate materials and facilities available for the production of

hames on the conditions and in the manner and to the extent set forth in the following direction to Order L-257-c:

(a) *Required production of hames.* Each producer of hames is required to manufacture and accept and fill orders for at least as many hames during each of the third and fourth quarters of 1945 as he produced during the second quarter of 1945. Manufacture of hames under this direction shall take precedence over all other production in the hame producer's plant except for orders rated higher than AA-2.

(b) *Appeals.* Any appeal from the provisions of this direction shall be made by filing a letter in triplicate with the War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref: L-257-c, Direction 1, referring to the particular provision appealed from and stating fully the grounds of the appeal. An appeal for suspension of this direction may be made by any producer on the ground that compliance with it will result in production at a loss: *Provided*, That an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, requirements of this direction for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11818; Filed, July 2, 1945;
11:24 a. m.]

PART 1272—MACHINE TOOL ELECTRICAL SPECIFICATIONS

[Limitation Order L-147, Revocation]

Section 1272.1 *Limitation Order L-147* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of machine tools remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11713; Filed, June 30, 1945;
12:03 p. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Limitation Order L-154, Schedule IV, as Amended July 2, 1945]

POWER SWITCHGEAR

Section 1288.5 *Schedule IV to Limitation Order L-154* is amended to read as follows:

§ 1288.5 *Schedule IV to Limitation Order L-154—(a) Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles power switchgear.

(2) "Power switchgear" means all equipment for the control and protection of apparatus used for power generation, conversion, transmission, and distribution and includes oil or air circuit breakers, metal enclosed or open type switchboards, buses and related devices.

This term does not include motor controller equipment, busway, small air circuit breakers, (known as types AB, ET or similar) or panelboards or distribution boards on which all circuits of 600 amperes or less utilize either the small air circuit breaker or switch and fuse units.

(b) *Restrictions on materials and required specifications—(1) Spare panels and apparatus.* In the manufacture of power switchgear, spare panels or fillers, and all panels and apparatus for the control of future equipment or future feeders shall be eliminated unless the elimination of such structures necessitates a redesign of standard construction.

(2) *Loading of switchgear and buses.*

(i) All new power switchgear of the metal enclosed type, indoor or outdoor, shall be manufactured with main current interchange surfaces silver-surfaced or equivalent, thereby permitting operation at the maximum approved rating of 85° C. temperature (based on 30° C. rise above 55° C. ambient temperature). In the case of power switching and distribution equipment, open type, both indoor and outdoor, and including enclosed cutouts, all such equipment and devices shall be designed and manufactured for operation at not less than 70° C. temperature (based on 30° C. rise above 40° C. ambient temperature). In no case shall any equipment be rated on a current density basis.

(ii) All power buses, indoor and outdoor, shall be so designed and built that each section will operate under full load conditions at as near as possible to 85° C. temperature (based on 30° C. rise above 55° C. ambient temperature), using standard bus sizes. In order to accomplish the required full loading of all sections of buses on a temperature basis, it will generally be necessary that buses be tapered so that each section will be loaded to the above temperature limits. Multicircuit switchboards shall be so designed that the heaviest circuits are adjacent to the circuits supplying power to the bus in order to accomplish maximum tapering of the bus, unless this results in an over-all increase in copper.

(3) *Double buses.* Double buses or duplicate buses shall not be used in metal enclosed installations, but instead a single bus, sectionalized, if necessary, shall be used.

(4) *Benchboard type panels.* Benchboard type panels (except for mill drive controls) shall not be used.

(c) *Limitation on tests.* No producer of power switchgear shall make or furnish design or certified electrical or mechanical tests on equipment which has been furnished to the industry and has given satisfactory service, or for which test data is already available.

(d) *Restrictions on production, deliveries, and acceptances.* No person shall accept deliveries of, and no producer shall deliver or produce (or accept deliveries of material for the purpose of producing) power switchgear which does not conform to the applicable restrictions on materials and required specifications, limitation on tests and other restrictions, established by this schedule.

(e) *Exceptions.* The restrictions of this schedule shall not apply to equipment which is to be used by the Army or Navy of the United States on board any ship or vessel, and which is so certified on the original order placed by the Army or Navy.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11813; Filed, July 2, 1945;
11:23 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS
[Conservation Order L-335, Interpretation
1 to Direction 1A]

**MEANING OF WORDS "BOARDS" AND
"DIMENSION"**

The following interpretation is issued with respect to Direction 1A:

Direction 1A of Order L-335 requires certain sawmills to manufacture a stated percentage of their expected monthly production of Douglas fir, White fir, and West Coast Hemlock in the form of one inch, one and one-quarter inch, and one and one-half inch boards, and another percentage in the form of two-inch dimension. The words "boards" and "dimension" as used in that Direction include all grades of the specified species of lumber which have the above nominal thicknesses.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary

[F. R. Doc. 45-11819; Filed, July 2, 1945;
11:25 a. m.]

**PART 3285—LUMBER AND LUMBER
PRODUCTS**

[Conservation Order M-359, Revocation]

PORT ORFORD CEDAR

Section 3285.96 *Conservation Order M-359* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The distribution and use of Port Orford Cedar remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 1st day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11829; Filed, July 2, 1945;
11:26 a. m.]

**PART 3290—TEXTILE, CLOTHING AND
LEATHER**

[General Conservation Order M-317, Direction 9, as Amended July 2, 1945]

RESTRICTIONS ON SALE AND DELIVERY OF CERTAIN CARDED COTTON SALE YARN IN COUNTS OF 9'S THROUGH 14'S

Direction 9 to Order M-317 is hereby amended to read as follows:

(a) *Purpose.* This direction is issued to provide cotton duck and duck substitutes for the programmed requirements of the armed services and essential civilian needs.

(b) *Restrictions on delivery.* This paragraph restricts deliveries of carded cotton sale yarns (excluding seconds), single or ply, 9's through 14's (other than machine knitting), as listed in the Sale Yarn Production Schedule of Order M-317B. From July 2, 1945 through September 30, 1945, and regardless of preference rated orders, no person who produces any such yarns shall sell or deliver any of them, except to fill an order bearing a preference rating assigned for carded cotton sale yarn on Form WPB-2842. No other rating is effective even if it originated with the Army or any of the other agencies named in paragraph (d), and was applied or extended to the producer of the yarn.

(c) *Restrictions on acceptance of delivery.* No person shall buy or accept delivery of any carded cotton sale yarn in counts of 9's through 14's, if he knows or has reason to believe that it is being sold or delivered in violation of paragraph (b) of this direction.

(d) *Applications on Form WPB-2842.* Applications made on Form WPB-2842 will be granted only for deliveries of yarn in proper amounts, descriptions and counts to or for the Army, Navy, Maritime Commission or War Shipping Administration, and to others only when it appears that the programmed requirements of the armed services will not be interfered with and it is shown that the yarn is needed for an essential industrial, agricultural or other civilian purpose.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11827; Filed, July 2, 1945;
11:23 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-65-a, Revocation]

ELECTRIC IRONS

Section 3291.316 *Limitation Order L-65-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of electric irons remain subject to all applicable regulations and orders of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11812; Filed, July 2, 1945;
11:23 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 75]

SYNTHETIC CAMPHOR

Section 3293.1075 *Schedule 75 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective July 2, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after July 2, 1945 deliveries of synthetic camphor are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of synthetic camphor remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11825; Filed, July 2, 1945;
11:25 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 100]

AMYL ALCOHOL AND AMYL ACETATE

Section 3293.10100 *Schedule 100 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective July 2, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

On and after July 2, 1945 deliveries of amyl alcohol and amyl acetate are subject to General Preference Order M-340 as amended simultaneously with the issuance of this revocation.

The manufacture, use and delivery of amyl alcohol and amyl acetate remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 2d day of July, 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11826; Filed, July 2, 1945;
11:25 a. m.]

PART 3294—IRON AND STEEL PRODUCTION
[Order M-21-b-2, Revocation of Direction 3]

OIL COUNTRY DISTRIBUTORS

Direction 3 to Order M-21-b-2 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under its provisions.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11821; Filed, July 2, 1945;
11:25 a. m.]

PART 3294—IRON AND STEEL PRODUCTION
 [Order M-21-b-1, Revocation of Direction 3]
TO INCREASE WAREHOUSE STOCKS OF GENERAL STEEL PRODUCTS

Direction 3 to Order M-21-b-1 is revoked. The deferred allotment status of all unfilled orders bearing the symbol "ZW", placed by distributors under the direction, is cancelled. Existing "ZW" orders may, however, be filled on an un-rated basis. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under its provisions.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
 Recording Secretary.

[F. R. Doc. 45-11820; Filed, July 2, 1945;
 11:25 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-340 as
 Amended July 2, 1945]

MISCELLANEOUS CHEMICALS

§ 3293.491 *General Preference Order M-340—(a) Definitions.* (1) "Subject chemical" means any chemical as defined in List 1 attached to this order.

(2) "Preferred order" means any purchase order for subject chemicals which are (i) ultimately to be delivered to or incorporated in material to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Office of Scientific Research and Development, Veterans' Administration, or any government agency pursuant to the Act of March 11, 1941 (Lend-Lease Act), unless restricted in the second column of list 1 attached to this order, or which are (ii) ultimately to be used for any preferred purpose specified opposite the subject chemical in List 1 attached to this order. The term "preferred order" under item (i) above shall not include any order for a military exchange or service department unless clearly identified on its face as coming within the definition of "overseas order" under Priorities Regulation 17.

(b) *Inapplicability of certain preference ratings.* (1) No person shall give any effect to any preference rating below AAA on any purchase order for subject chemicals, unless the person placing the purchase order certifies that it is a "Preferred order" and that acceptance of delivery will not result in his having an inventory in excess of that permitted under paragraph (c) of this order. Preference ratings on certified preferred orders shall be given full effect.

(2) "Preferred orders" shall be certified in substantially the following form, duly signed by an authorized official:

Certified as Preferred Order under WPB Order M-340

(Identify purchase order if certificate is not on it or attached to it; if certificate does not cover whole order, add "as to _____ (quantity) of _____ (material). Add Inventory certified—Ref: M-340, paragraph (b) (1).")

No. 131—5

(Name of purchaser)

(Signature and title of duly authorized official)

The certificate may be indorsed on or attached to the purchase order and need not be filed with the War Production Board. Any person receiving the certificate may rely upon it unless he knows or has reason to believe that it is false. The standard certification of Priorities Regulation 7 may not be used instead.

(3) A person who receives a subject chemical on a certified "preferred order" shall use the chemical only for the purposes shown in paragraph (a) (2) above, unless otherwise specifically authorized in writing by the War Production Board.

(c) *Use of certified preferred orders.*

(1) Where a person is ordering a subject chemical to fill either orders for the chemical itself or orders for material into which it is to be incorporated, he may not certify his order as a preferred order if the orders to be filled are not on hand. An order for a subject chemical may be certified as a preferred order if the chemical is required to replace withdrawals from inventory of the chemical within the previous 30 days used to fill orders for a purpose preferred under paragraph (a) (2), but in no case may an order for a subject chemical to accumulate inventory be certified as a preferred order.

(2) Even in cases where an order to replace inventory might be certified as a preferred order under paragraph (c) (1) above, no person may so certify an order, if the receipt of the quantity ordered would result in his having an inventory of the subject chemical, whether or not acquired in part by uncertified orders, in excess of an amount sufficient to meet deliveries on orders for purposes preferred under paragraph (a) (2) which he has accepted for delivery during the succeeding 60 day period (unless a different period is indicated in List 1). This paragraph prohibits the use of cer-

tified preferred orders for inventory except as specified above. It does not restrict the amount of inventory which a person may accumulate by uncertified orders, but if a person accumulates by uncertified orders or otherwise an inventory in excess of that specified he is prohibited from using certified preferred orders to replace withdrawals from inventory, even though the withdrawals were made for preferred purposes, until his inventory has been reduced to the specified amount. Inventories continue to be subject to other applicable orders and regulations of the War Production Board.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person regarding production, use or delivery of subject chemicals, notwithstanding the other provisions of this order.

(e) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* Communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-340.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
 Recording Secretary.

List 1

Note: Table amended July 2, 1945.

Subject chemical	Preferred purposes under paragraph (a) (2) (ii)
1. Oxidized petrolatum, meaning high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventative compounds or corrosion inhibitors meeting specification No. 52-C-18 such as those petrolatums known by the trade-marks Par-Al-Ketone, Alox 707, and Alox 701.	None.
2. Enamewire naphtha, also known as E. W. naphtha, meaning a mixture of aromatic solvents derived from coke oven light oil, drip oil, or coal tar, distilling between 150 and 290° C., with at least 15 per cent monomeric polymerizable constituents of the cumorene-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorene-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.	(i) Wire and cable.
3. Precipitated calcium carbonate, meaning ultrafine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.	(i) Wire and cable.
4. Hi-flash naphtha, meaning water white coal tar solvent naphtha, having a distillation range of 140° C. (283° F. to 200° C.) (392° F.) derived from coke oven light oils, coal tar distillates, drip oils or holder oils.	None.
5. Dipentene, meaning certain terpene solvents, consisting largely or entirely of mono cyclic terpene hydrocarbons of the empirical formula C ₁₀ H ₁₆ , having a distilling range and solvent power above that of turpentine.	(i) Rubber reclaiming.

NOTE: Orders for dipentene to be used for ultimate delivery for paint to any agency listed under paragraph (a) (2) (i) under specifications not specifying dipentene are not included in "preferred orders."

LIST 1—Continued

Subject chemical	Preferred purposes under paragraph (a) (2) (i)
6. Heat treated rosins, meaning rosin heated to a sufficiently high temperature and for a sufficient period to effect some degree of isomerization and disproportionation. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Wire and cable. (iii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
7. Stabilized rosins, meaning rosin stabilized by hydrogenation, dehydrogenation, or disproportionation. 90 day period under paragraph (c) (2).	(i) Manufacturing and compounding of synthetic and natural rubber. (ii) Wire and cable. (iii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
8. Polymerized rosins, meaning rosin which contains 20% or more of polymerized or condensed rosin acids. 90 day period under paragraph (c) (2).	(i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
9. Metal resinates, meaning any rosin which has been reacted with any given metal or metallic salt and contains 1% or more of the metal combined with the rosin. 90 day period under paragraph (c) (2).	(i) Foundry cores. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office.
10. Rosin, meaning gum rosin and wood rosin as defined in the Naval Stores Act of March 3, 1923. 90 day period under paragraph (c) (2).	(iii) Orders rated under Order P-149. (i) Foundry cores. (ii) Orders rated under Order P-65 and P-149. (iii) Ultimate use by War Food Administration, U. S. Government Printing Office or Bureau of Printing and Engraving; (iv) Wire and cable. None.
11. Nitrocellulose plastics, meaning plasticized cellulose nitrate in primary unfabricated forms, such as sheets, shapes, rods, and tubes (including extruded, butt-joined, and spiral-wound tubes manufactured by the producer of the nitrocellulose plastic incorporated therein).	(i) Marine paint for maintenance of ocean-going vessels; (ii) Orders rated under Order P-149 for materials for coatings for interior can linings; (iii) Ultimate use by U. S. Government Printing Office or Bureau of Printing and Engraving; (iv) Wire and cable.
12. Titanium dioxide, means any pigment containing more than 12% titanium dioxide whether alone or admixed with or precipitated on inerts, extenders or opaque pigments.	(i) Marine paint for maintenance of ocean-going vessels; (ii) Orders rated under Order P-149 for materials for coatings for interior can linings; (iii) Ultimate use by U. S. Government Printing Office or Bureau of Printing and Engraving; (iv) Wire and cable.
13. Zinc sulfide, meaning any pigment containing more than 12% zinc sulfide whether alone or admixed with, or precipitated on inerts, extenders or opaque pigments. The terms include all the commercial grades of lithopone, but does not include luminescent pigments containing zinc sulfide.	(i) Railroad track electrical insulation; (ii) Electrical insulation for electrical power transformers. (i) Polydichlorostyrene; (ii) Fungicides and insecticides solely for agricultural crops (excluding all moth preventative and deodorant uses). (i) Wire and cable. (ii) Ultimate use by Bureau of Engraving and Printing or U. S. Government Printing Office. (iii) Orders rated under Orders P-65 and P-149.
14. Vulcanized fibre sheet and rod, meaning unfabricated or fabricated (unless attached to other items) sheet or rod formed from regular paper which has been processed through a zinc chloride bath and cured in a series of fresh water baths.	(i) Penicillin. NOTE: Orders for amyl alcohol and amyl acetate to be used for ultimate delivery of lacquer, lacquer thinner or retarder thinner to any agency listed under paragraph (a) (2) (i) under specifications not specifying amyl acetate are not included in "preferred orders." (i) Manufacturing and compounding of synthetic and natural rubber. None.
15. Paradichlorobenzene, meaning paradichlorobenzene in any form and from whatever source derived.	
16. Ester gum, meaning the reaction product of wood or gum rosin and any alcohol (usually glycerin or pentaerythritol). 90 day period under paragraph (c) (2).	
17. Amyl alcohol, meaning any aliphatic alcohol having the empirical formula $C_5H_{12}O$, including a mixture of isomeric forms of amyl alcohol but not amyl alcohol in the unrefined form known as crude fusel oil. Also amyl acetate, meaning the acetate esters of amyl alcohol. (Subject to M-340 on and after July 2, 1945).	
18. Terpene hydrocarbon resins, meaning terpene hydrocarbon resin type polymers derived from pinene.	
19. Synthetic camphor, meaning the oxygenated bicyclic terpene of the empirical formula $C_{10}H_{16}O$ which is synthesized from farnesin or borneol. (Subject to M-340 on and after July 2, 1945).	

[F. R. Doc. 45-11828; Filed, July 2, 1945; 11:25 a. m.]

PART 3294—IRON AND STEEL PRODUCTION
[Supplementary Order M-21-j, Revocation]
TOOL STEEL

Section 3294.114 *Supplementary Order M-21-j* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture, use

and delivery of tool steel remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11822; Filed, July 2, 1945; 11:25 a. m.]

PART 3305—PAPERBOARD

[Conservation Order M-290, as Amended
July 2, 1945]

CONTAINERBOARD

The fulfillment of requirements for the defense of the United States has created shortages in the supply of containerboard and of materials entering into the production of containerboard for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3305.11 *Conservation Order M-290—What this order does.* Under this order anyone who wants to buy more than 2½ tons of containerboard in any calendar quarter must apply for and receive the written authorization of the War Production Board to do so. Furthermore, this material may not be delivered in lots of 50 pounds or more on uncertified orders.

Two kinds of authorizations to accept delivery of containerboard will be issued:

(1) "Basic authorizations" permitting the acceptance of a specific amount of containerboard. In most cases, this amount will be based upon the tonnage of containerboard consumed by the applicant in the fourth quarter of 1943 and adjusted upwards or downwards in accordance with the rating pattern which he files monthly with the War Production Board.

(2) "Incentive authorizations" permitting the acceptance of an unlimited amount of containerboard. On and after July 1, 1945, this type of authorization will be issued to each person receiving a "basic authorization" who will use the incentive tonnage for the manufacture of fibre shipping containers, as defined in Order P-146.

To the extent specified in paragraphs (h), (i) and (j) of this order, the acceptance and delivery of basic orders must be preferred to that of incentive orders by producers of containerboard.

Other provisions of this order limit the uses to which certain kinds of containerboard may be put; establish inventory ceilings; prohibit the use of ratings; provide for the issuance of directions for the production and delivery of containerboard and its end products; and require producers to manufacture and ship specific amounts of containerboard if they wish to produce certain other kinds of paper and paperboard.

(a) *Definitions.* For the purpose of this order:

(1) "Producer" means a person (including a sheet supplier) who makes containerboard in roll stock form or in the form of corrugated or solid fibre sheets at one or more plants which he owns or controls.

(2) "Plant" means a congregation of pulp preparation, roll and sheet finishing

equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(3) "Containerboard" means the types and grades of paperboard classified under caption No. 211000 through 219000 in Form WPB-514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product. The term shall not include any item which is defined in Order P-146 as a "fibre shipping container"—such as a solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging or otherwise protecting a product or material for shipment.

(4) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(5) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(6) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(7) "Sheet supplier" means any producer who supplies corrugated or solid fibre sheets to sheet plants, cleated-box manufacturers or other users, whether owned by him or not.

Restrictions on Delivery and Receipt of Containerboard

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Any person who has been authorized to accept delivery of containerboard in the form of corrugated or solid fibre sheets may place orders for such containerboard with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may (subject to the provisions of paragraph (i) below in the case of incentive orders) obtain the amount of containerboard which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the following form:

Authorized under Order M-290. Date of authorization _____, authorization number _____

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(d-1) *Exception to requirement of authorization to receive containerboard.* A person who has been granted an authorization by the War Production Board to receive containerboard may deliver such containerboard to another person to be processed, and such other person need not have War Production Board authorization or give the required certificate to accept the delivery if the person having the authorization retains ownership of the containerboard and invoices and sells the end product made from the containerboard. He must report the shipments of products so made on Form WPB-3077 in accordance with paragraph (v) below.

Authorizations

(e) *V-board.* Normally authorizations to accept delivery of containerboard for use in the manufacture of V-boxes will be on a monthly basis and will be issued separately on Form WPB-2492, Supplement No. 1, immediately prior to the month in which such containerboard is to be received. However, they may be issued at any other time and in any other manner (as by telegram or letter).

(f) *Containerboard other than V-board.* Authorizations to accept delivery of containerboard other than that described in paragraph (e) above will be either:

(i) "Basic authorizations" which will permit the acceptance of a specific amount of containerboard;

(ii) "Incentive authorizations" which will permit the acceptance of an indefinite amount of containerboard during a particular quarter. These incentive authorizations will be identified by the inclusion of the letter "X" in the authorization number.

Both basic and incentive authorizations will generally be issued on Form WPB-2492 on a quarterly basis prior to the beginning of the pertinent quarter. They may, however, be issued at any other time and in any other manner, such as by telegram or letter.

(g) *Specifications of suppliers and delivery date; cancellation or amendment of authorizations.* (1) The authorizations described in paragraphs (e) and (f) above may specify the supplier with whom all or part of the authorized orders may be placed and the date as of which said orders are to be delivered.

(2) The War Production Board may cancel or amend any authorization for the acceptance of containerboard at any time prior to its complete fulfillment.

Treatment of "Basic" Authorizations

(h) *Policy.* The following paragraphs ((i) and (j)) are directed at assuring, insofar as is possible, that all orders covered by basic authorizations can be placed and filled during the calendar quarter for which the authorization was issued. To further implement this policy basic authorizations will be originally issued only to the extent of the contemplated production of containerboard during the pertinent quarter, less a reasonable safety factor, and, if necessary, will be adjusted from time to time to conform with variations in production trends and military requirements.

(i) *Definitions.* For the purposes of this paragraph (h) and of paragraphs (i) and (j) below "basic orders" are all those which do not have the letter "X" in the authorization number which must be set forth in the certificate provided by paragraph (d). The term shall include "V-board" orders and small delivery orders (see paragraphs (k) and (l)).

"Incentive orders" are those which do have the letter "X" in the authorization number.

(i) *Preferential treatment of basic authorizations—(1) General rule.* No producer shall fill any order for containerboard (other than containerboard in the form of corrugated or solid fibre sheets) which is certified as carrying an incentive authorization, in any calendar quarter during which he has not previously shipped, from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 95 percent of the total production of containerboard, at these plants, during the corresponding quarter of 1944 (as reported on Form WPB-514).

(2) *Monthly basis.* A producer who wants to fill incentive orders on a monthly basis should apply by letter to the War Production Board for permission to do so. If granted, this permission will be subject to the following conditions (and may contain such further limitations as are deemed advisable in view of the policy stated in paragraph (h) above):

(i) That no incentive orders may be filled in the first month of any calendar quarter unless the producer has, during that month, previously shipped, from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 33 1/3 percent of the total production of containerboard, at those plants, during the corresponding quarter of 1944 (as reported on Form WPB-514), and

(ii) That no incentive orders may be filled in the second month of any calendar quarter unless the producer has, during that quarter, previously shipped from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 66 2/3 percent of the total production of containerboard, at those plants, during the corresponding quarter

of 1944 (as reported on Form WPB-514), and

(iii) That no incentive orders may be filled in the third month of any calendar quarter unless the producer has, during that quarter, previously shipped from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 95 percent of the total production of containerboard, at those plants, during the corresponding quarter of 1944 (as reported on Form WPB-514).

(3) *Sheets.* The filling of incentive orders for containerboard in the form of corrugated or solid fibre sheets is not restricted by subparagraphs (1) and (2) of this paragraph (i). However, incentive orders for roll stock which will be used to make such sheets may be filled only in complete conformity with the provisions of those subparagraphs.

(j) *Acceptance, fulfillment and placing of authorized orders.* Except where noted to the contrary, the provisions of this paragraph (j) apply to orders for containerboard in the form of corrugated or solid fibre sheets as well as for roll stock. The percentages specified in subparagraphs (1) (ii), (iii) and (iv) below shall, in the case of sheet suppliers, be computed on the basis of the tonnage reported on Form WPB-3077 as having been delivered in the form of corrugated or solid fibre sheets during the applicable base period.

(1) *Acceptance of orders.* Each producer of containerboard must accept basic orders in the order in which they are received by him, except:

(i) He may reject orders calling for delivery in any month which are received on or before the seventh day of that month,

(ii) He may reject orders calling for delivery during the first month of any calendar quarter at any time when the basic orders which he has on his schedule for delivery during that month, plus those which he has already delivered during that month, call for a tonnage of containerboard equal to at least 33 1/3 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous month may not be credited to the tonnage specified in this subparagraph (unless this was done at the written request of the customer).

(iii) He may reject orders calling for delivery during the second month of any calendar quarter, at any time when the basic orders which he has on his schedule for delivery during that month, plus those which he has already delivered during that month, call for a tonnage of containerboard equal to at least 33 1/3 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous month may not be credited to the tonnage spec-

ified in this subparagraph (unless this was done at the written request of the customer).

(iv) He may reject orders calling for delivery during the third month of any calendar quarter at any time when the basic orders which he has on his schedule for delivery during the quarter, plus those which he has already delivered during the quarter, call for a tonnage of containerboard equal to at least 95 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous quarter may not be credited to the tonnage specified in this subparagraph (unless this was done at the written request of the customer).

(v) He must reject any order which he receives after the end of the quarter for which the authorization covering the order was issued. (Authorization numbers, which must be certified to suppliers according to paragraph (d), will identify the quarter for which the authorization is valid by the first digit following the letters in the authorization number. This number will be "6" for the second quarter of 1945, (such as CB-6-000), "7" for the third quarter of 1945, and so on.)

(vi) In any case where he is of the opinion that the filling of an order for containerboard would substantially reduce his over-all production, owing to the large or small size of the order, its specifications, or otherwise, he may apply for relief to the Paperboard Division of the War Production Board. The War Production Board may release him from his obligation to accept and fill such order.

(vii) He may reject an order, if the person seeking to place it is unwilling or unable to meet his regularly established prices and terms of sale or payment.

(2) *Notification of filling of schedules.* Each month, each producer shall notify the Paperboard Division of the War Production Board, in writing, as soon as he has accepted basic orders for delivery, during that month, in the amounts specified in subparagraphs (1) (ii), (1) (iii) and (1) (iv) of this paragraph (j). If, after giving this notice, a producer's orders scheduled for delivery during the month are reduced (due to customers' cancellations, cut backs or postponement of orders, etc.) below the specified amounts—and such reduction continues for more than twenty-four hours—he must immediately advise the Paperboard Division of the War Production Board, in writing, that his original notice is withdrawn.

(3) *Delivery of orders.* If a producer fails to deliver a basic order, which he has accepted, during the month in which delivery is called for, he must deliver it as soon as possible thereafter, in preference to all other orders except orders for V or W board. He must do this even if delivery is effected after the end of the quarter in which the purchase order was placed.

This rule does not apply to orders based upon incentive authorizations. No person may deliver and no person may accept delivery of containerboard (other than containerboard in the form of corrugated or solid fibre sheets) pursuant

to incentive authorizations unless the containerboard was in transit to the purchaser on or before the last day of the calendar quarter for which the incentive authorization was issued.

(4) *Variation of percentages in individual cases.* The War Production Board may increase the percentage of past production which any producer must sell and deliver on basic orders (paragraphs (i) and (j)), or which he must produce (paragraph (m)), where facilities have been expanded since the base period, or increased production is expected for other reasons. On application from a producer, the War Production Board may reduce said percentages in cases where breakdowns, work stoppages, raw material shortages, etc., justify a reduction.

(5) *Limitation on placing of orders.* No person may place basic orders for containerboard (other than authorized orders for V and W board and for containerboard to be exported unused) calling for delivery during either of the first two months of any calendar quarter, in a total amount exceeding 36 2/3 percent of his basic authorization for that quarter (excluding V and W board authorizations and authorizations for containerboard to be exported unused). However, this shall not prevent any person from placing an order for one full carload of containerboard in each month, providing he does not exceed the tonnage he is authorized to accept under this order.

Exceptions for Small Deliveries

(k) *Purchasers.* A person who accepts delivery of less than 2 1/2 tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2 1/2 tons.

Any person may accept delivery of containerboard in lots of less than fifty pounds without the authorization of the War Production Board and without filing the foregoing certificate.

(l) *Suppliers.* Any supplier of containerboard may deliver it to a person purchasing in accordance with the preceding paragraph (k) regardless of the provisions of paragraph (d) of this order.

Production of Containerboard

(m) *Required production.* (1) No producer may manufacture any paperboard defined in Order M-378, other than tonnage credited to his "reserve" under that order, at any plant, during any calendar quarter, unless the total tonnage of containerboard in roll stock form produced and shipped in that quarter, at all plants he owns or controls, is at least as great as the tonnage of container-

board produced at said plants in roll stock form in the corresponding quarter of 1944.

(2) No paper classified under caption #051500 in Form WPB-514 (screenings, core stock, bogus or imitation kraft and mill wrappers) may be made at any plant, during any calendar quarter, unless the total tonnage of containerboard in roll stock form produced and shipped in that quarter, at that plant, is at least as great as the tonnage of containerboard produced at said plant in roll stock form in the corresponding quarter of 1944.

Directions

(n) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any plant's or producer's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M-93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any plant's or producer's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (n) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (n) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no plant or producer or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

Restrictions on Use of Authorized Containerboard

(o) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e), (f), or

(n) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(p) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

(q) *Restrictions on usage of Kraft as a corrugating media.* No Kraft containerboard may be used as corrugating media except for V and W boxes. For the purposes of this paragraph "Kraft containerboard" shall mean a grade of paperboard of full bending quality manufactured on a Fourdrinier or a Cylinder machine from a furnish of at least 70 percent virgin Kraft wood pulp or Kraft wood pulp screenings.

Ratings

(r) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no person shall give any effect to it in filling an order.

Inventory Restrictions

(s) *Inventories.* No person shall knowingly deliver to any person, and no person shall accept delivery of any quantity of containerboard if the total inventory in the hands of the person accepting delivery is, or by virtue of acceptance will become, either (1) in excess of two carloads, or (2) in excess of his reasonably anticipated requirements for the next thirty days, whichever is greater.

(t) *Amounts of containerboard which may be ordered.* No person may place orders for more containerboard than he has been authorized to receive under this order, regardless of whether or not he intends to cancel or reduce some of his orders before they are delivered.

In addition, authorized purchase orders must specify delivery at a time when a person reasonably anticipates that he will be entitled to receive the amount of containerboard he has ordered within the inventory limitations of Priorities Regulation No. 1 or of paragraph (s) of this order, whichever is the more restrictive.

Applications and Reports

(u) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar quarter shall file application on Form WPB-2492 in the manner and at the time stated in the instructions on that Form.

(v) *Reports required from all container manufacturers.* Each container manufacturer who requires authorization for

the acceptance of containerboard (i. e. all those who are not exempt from this requirement under paragraph (k)) shall report to the War Production Board on Form WPB-3077 in accordance with the instructions appearing on that form.

(w) *Reports by manufacturers of V-boxes.* In addition to the reports required by paragraphs (u) and (v), above each manufacturer of V-boxes shall, on or before the 10th day of each month, report to the War Production Board on Form WPB-2492-Supplement No. 1, in accordance with the instructions on that form.

(x) *Reports by producers of containerboard.* Each producer shall, on or before the fifteenth day of each month report to the War Production Board on Form WPB-3850 in accordance with the instructions on that form.

(y) *Budget approval.* The reporting requirements set forth in paragraphs (j), (u), (v), (w) and (x) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(z) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous

(aa) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (n). Similarly a producer who makes containerboard in roll stock form and also in the form of corrugated or solid fibre sheets may only obtain roll stock for the manufacture of the sheets pursuant to authorized orders (see paragraph (c) for provisions concerning the extension of sheet plant orders); and he must apply the percentages specified in paragraphs (i), (j) and (m) separately to each operation.

(bb) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(cc) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(dd) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290.

(ee) *Appeals.* Appeals from this order shall be filed by addressing a letter, in triplicate, to the War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in exceptional and unreasonable hardship, and such other statistical and narrative information as may be pertinent.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11824; Filed, July 2, 1945;
11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 6 to Supp. 3²]

FOOD RATIONING FOR INSTITUTIONAL USERS

Section 1305.216 (b) is amended by changing the part dealing with foods covered by Ration Order 16 to read as follows:

Foods covered by Revised Ration Order 16..... 60% 100%

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11652; Filed, June 30, 1945;
11:36 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 109]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith,

¹ 8 F.R. 10002, 11676, 11460, 11479, 12463, 12557, 12403, 12744, 17486, 14472, 15488, 16787; 9 F.R. 601, 455, 692, 1810, 2212, 2287, 2252, 2476.

² 9 F.R. 2019.

³ 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6106, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

has been filed with the Division of the Federal Register.

General Ration Order No. 5 is amended in the following respects:

1. Section 7.1 (g) is amended to read as follows:

(g) Whenever the December use factor, the allowance per person or the refreshment factor for a rationed food is changed, the base for that food of any institutional user affected by the change shall be computed when he next applies for his regular allotment. The recomputed base shall be treated as his base for all purposes. In recomputing the bases for foods covered by Revised Ration Order 16 as of July 1, 1945, of Groups III, IV and V institutional users whose base month was after March 1943, and before July 1945, the usage, in points is multiplied by 1.33 and the result is multiplied by 60 percent. This figure is his base.

2. Section 13.3 (f) is amended to read as follows:

(f) At the end of the first thirty days he shall report to the Board on OPA Form R-1307 (Revised) the information called for by Part II of that form. The Board shall then compute a base for meal services for each rationed food in the following way:

(1) The number of meals actually served is multiplied by the result arrived at in (d) (1) for each rationed food:

Consolidated size groups	Description	Coals produced at any and all mines from all seams except those in Butler County, Ky.	Coals produced at any and all mines from all seams in Butler County, Ky.
A.....	All single-screened lump coals, bottom size larger than 1½", and all double-screened raw, washed or air-cleaned coals, bottom size larger than 1½"	\$2.80	\$3.25
B.....	All single-screened lump coals, bottom size 1½" and smaller, and all double-screened coals, bottom size 1½" and smaller.	2.45	2.55
C.....	Mine run, modified mine run and mine run resultants larger than 2".	2.35	2.55
D.....	Screenings, top size not exceeding 2"	2.00	1.30

This Amendment No. 141 shall become effective July 5, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11648; Filed, June 30, 1945;
11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 275, Amdt. 1]

HONEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 275 is amended in the following respects:

1. Section 2 (b) is amended by inserting before the word "honey" in the first sentence thereof the word "domestic."

2. Section 2 (c) is amended to read as follows:

¹ 10 F.R. 2969.

(2) His use of each rationed food is determined as follows:

(i) Sugar, in pounds;
(ii) Processed foods, in points;
(iii) Food covered by Revised Ration Order 16 divided by the December use factor in paragraph (b) of Supplement 3, and the resulting figure multiplied by that factor.

(3) The lower of the figures obtained in (1) and (2) is his base for meal services.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11651; Filed, June 30, 1945;
11:36 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 141]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1340.220 (h) (2) is amended to read as follows:

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

(c) A "dealer" is a person actively engaged in buying and selling domestic or imported bulk honey at a regular place of business performing the services customarily performed by an established honey dealer and entitled to dealers' maximum prices on sales of such honey only: (1) if he bought it; (2) if he warehoused it; and (3) if he sells it with full responsibility for its delivery according to specifications. A dealer shall not pay a refund, bonus, or any other consideration over the producers' maximum prices or divide any part of the selling price with the producer or any other person except as is provided for cooperative associations governed by Supplementary Order 84.

3. Section 2 (r) is added to read as follows:

(r) An "importer" is a purchaser to whom imported bulk honey is shipped from outside continental United States of America and who is not qualified to receive a dealer's maximum price under paragraph 3 (b) (2) (ii) unless he meets the requirements of a dealer under paragraph 2 (c) and who sells imported bulk honey without performing any manu-

facturing operation on it which changes its identity.

4. Section 2 (s) is added to read as follows:

(s) An "import-broker" is a person in continental United States of America engaged in the business of selling bulk honey produced outside the continental United States as an exporter's agent for the account of persons doing business outside of the United States. He serves the foreign seller and shall receive payment for his services only in accordance with the provisions of Revised Maximum Price Regulation 165. He is not entitled to sell bulk honey at prices higher than the maximum prices provided for such honey in section 3 (b) (1), and is not entitled to the maximum prices provided for sales by importers in section 3 (b) (2) of this regulation.

5. Section 3 (a) (1) is amended to read as follows:

(1) *Maximum prices for producers or other sellers.* Where a sale is made in a marketable container, f. o. b. seller's local shipping point by a producer or other seller who does not qualify under any of the other classifications herein defined:

	Cents per lb.
(i) To persons other than consumers... 12	
(If purchaser furnishes, exchanges, or returns a container for that shipped by the seller, the maximum price shall be 11½¢ per lb.)	
(ii) To consumers..... 15	

6. Section 3 (b) (2) is amended to read as follows:

(2) *Maximum prices on imported bulk honey sold in the United States—(i) Importers' maximum price.* Where the sale of imported bulk honey in a marketable container is made in continental United States of America (other than a sale by an import-broker or a sale to the importer thereof), the maximum price, duty paid, f. o. b. freight car or truck, at a point or port of arrival in the United States shall be 12¢ per pound.

(ii) *Dealers' maximum prices on sales of imported bulk honey.* Where a dealer makes a sale of imported bulk honey in a marketable container, duty paid, f. o. b. freight car or truck, at a point or port of arrival in the United States:

Quantity:	Cents per lb.
(i) For 12,000 lbs. or over, or any quantity in a pool car..... 12	
(ii) For less than 12,000 lbs., but not less than 1,500 lbs..... 13	
(iii) For less than 1,500 lbs., but not less than 300 lbs..... 14	
(iv) For less than 300 lbs..... 15	
(v) Where a sale is made of imported bulk honey on a basis other than an f. o. b. car or truck basis, the loading and carting charges that would have been incurred if the sale had been f. o. b. car or truck must be deducted from the 12¢ per pound maximum price.	
(vi) Where a sale of imported bulk honey is made in bond, the maximum price shall be the same as that established for the same type of sale made on a duty-paid basis less the amount of applicable duties.	

7. Section 5, paragraph (a) (1) is amended by deleting therefrom references to forms "1-A, 1-B and 1-C" and inserting in lieu thereof the following: "Form 635-988."

8. Section 14 (b) is amended by deleting therefrom reference to Forms "1-A, 1-B and 1-C" and inserting in lieu thereof the following: "Form 635-988."

This amendment shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-11649; Filed, June 30, 1945;
11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS [RMFR 312, Amdt. 2]

MAPLE SYRUP AND MAPLE SUGAR

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 14 (a) (11) is amended to read as follows:

(11) "Block sugar" is all maple sugar put up in blocks larger than one pound and commonly used in the confectionery, blended syrup and tobacco industries. It does not include, however, maple sugar which is customarily sold in containers to retailers and domestic consumers.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11646; Filed, June 30, 1945;
11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS [MPR 585, Amdt. 3]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 585 is amended in the following respects:

1. Section 2.1 (a) (9) (viii) is amended to read as follows:

(viii) Mixtures of grains for which maximum prices are provided in Supplement No. 5 to Food Products Regulation No. 2.

2. A new sentence is added at the end of section 3.12 (a) to read as follows: "Every seller who, prior to May 3, 1943, customarily gave invoices to his customers, must continue to do so."

3. Section 3.14 is amended to read as follows:

Sec. 3.14 *Delegation of authority to determine import purchases prices, differentials and uniform delivery charges, margins, differentials for Class C plants*

19 F.R. 3347, 4390.

and base prices for ingredients and containers. The administrator, any regional administrator or any district director authorized by the appropriate regional administrator, may establish maximum import purchase prices pursuant to the provisions of section 5.5, systems of differentials and uniform delivery charges pursuant to the provisions of section 3.7, and may approve, disapprove and allow margins and differentials for Class C plants pursuant to the provisions of section 4.1 and base prices for ingredients and containers pursuant to the provisions of section 4.2.

4. The first sentence in the First Method in section 4.1 (d) (2) is amended to read as follows: "You may use this method only for a plant operated by you during the year 1944 at which you produced for your own account less than 3500 tons of mixed feed during that year."

5. The first sentence in section 4.2 (b) (1) is amended to read as follows: "Base Price" as used in this subparagraph (1) means, with respect to wheat, oats, barley, corn and grain sorghums, the 'base price' therefor as defined, respectively, in 2nd Revised Maximum Price Regulation 487 and Supplements 2, 3, 4 and 6 to Food Products Regulation No. 2."

6. The first method in section 4.2 (b) (1) is amended to read as follows:

First Method. You may use the "base price" at the point where the plant is located.

7. Section 4.2 (b) (3) (iii) is amended to read as follows:

(iii) The simple average of the prices you paid delivered at your plant for either

(a) Your receipts during the last thirty days prior to the effective date of this regulation, or

(b) Your last twenty receipts prior to the effective date of this regulation, or

(c) Your receipts during the last year preceding the effective date of this regulation.

8. A new sentence is added at the end of section 4.2 (b) (4) (i) to read as follows: "You may have several such base container prices; for example, you may have one price for standard cotton bags and another for 'print' cotton bags."

9. Section 4.2 (b) (4) (iv) is amended to read as follows:

(iv) *Methods.* Your base container price for any containers shall be the maximum price you could lawfully pay, if subject to price control, or the reasonable market value, if not subject to price control, delivered to your plant from your normal suppliers of such containers. Such prices shall be on the basis of normal quantities of such containers (as evidenced by receipts) that you purchase either in the 100 pound size or in smaller sizes.

10. The last sentence in the first paragraph of section 4.3 is amended to read as follows: "A manufacturer need not calculate an adjusted base ingredient price unless he desires to do so, but he cannot take an ingredient into his mixed feed at a price higher than the base ingredient price (whether or not such base

ingredient price has been filed) in determining his control price, unless he determines an adjusted base ingredient price as herein provided."

11. Section 4.8 (b) (6) is amended to read as follows:

(6) Such discounts as are consistent with your regular discount policy, if any, on such sales during the 1942 base months, except that, in the case of private brand mixed feeds, you must allow at least as great a discount as your largest discount to a wholesaler during the 1942 base months on sales of the same or most nearly similar mixed feed produced by you, which is not a private brand mixed feed.

This amendment shall become effective June 30, 1945.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11647; Filed, June 30, 1945;
11:35 a. m.]

PART 1305—ADMINISTRATION [Gen. RO 5,¹ Amdt. 110]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 24.1 is amended by adding a new paragraph (f) to read as follows:

(f) Sugar ration checks issued by the Veterans' Administration or by any of its establishments shall be issued in accordance with the procedure and under the conditions prescribed by section 16.5 (b) of Second Revised Ration Order 3.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11748; Filed, June 30, 1945;
3:08 p. m.]

PART 1305—ADMINISTRATION [Gen. RO 11,² Amdt. 20]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGEN- CIES

A rationale accompanying this amendment, issued simultaneously here-

¹ 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2769, 3030, 3075, 3240, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5332, 5684, 5826, 5915, 6108, 6504, 6628, 7187, 7260, 7703, 7770, 8242, 8813.

² 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13771, 13920, 16640; 9 F.R. 848, 1053, 17511.

with, has been filed with the Division of the Federal Register.

General Ration Order 11 is amended in the following respects:

1. Section 4.1 (a) is amended by deleting the first sentence and inserting in place thereof the following sentences:

The designated agency may in its discretion issue a check or checks payable to the applicant for each rationed food, other than sugar, used or to be used in such products equal to the point value (at the time the check is issued) of the rationed foods. However, if the agency grants the application for replacement or advance of sugar used or to be used in products acquired by such agency, it shall issue a check or checks payable to each industrial user for whom application is made for the amount of sugar used or to be used by such industrial user in such products. Before issuing such check or checks for sugar to that industrial user, the designated agency must type or stamp in ink on the back of each such check the following notation: "Not valid for deposit except by a primary distributor as defined in the Sugar Rationing Regulations. Transfer by endorsement only." An industrial user who is entitled to a check for sugar under this Order may request the designated agency to issue to him more than one check covering the amount of sugar used or to be used by him.

2. Section 4.1 (c) is amended to read as follows:

(c) The applicant must issue a check to each industrial user for the amount of such rationed food, other than sugar, for which replacement or advance has been obtained on his behalf.

(1) Notwithstanding the provisions of Second Revised Ration Order 3 or Revised General Ration Order 3A, no industrial user who receives a check for sugar under the provisions of paragraph (a) and no person, other than a person who is a primary distributor under the sugar rationing regulations, who delivers sugar in exchange for such check, may deposit such check, even if such person has or is required to have a ration bank account. Instead, he must endorse and transfer such check for any purpose for which checks or evidences may be transferred under this order or Second Revised Ration Order 3.

3. Section 5.2 (a) is amended to read as follows:

(a) No industrial user may apply for replacement or advance of any rationed food (except sugar) on behalf of another industrial user, unless the applicant has a ration bank account for each rationed food (except sugar) for which replacement or an advance is requested. An industrial user who is applying for replacement or for an advance of sugar, whether or not he is applying for himself or on behalf of another industrial user, does not need to have a sugar ration bank account. The applicant may open a ration bank account as an industrial user for any rationed food, other than sugar, even if he is not an industrial user with respect to that rationed food under the order rationing that food.

This amendment shall become effective July 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11746; Filed, June 30, 1945;
3:08 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 17,¹ Amdt. 2]

EXPORT OF RATIONED FOODS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order 17 is amended in the following respects:

1. Section 10 (a) is amended to read as follows:

(a) Every person other than a primary distributor as defined by the Sugar Rationing Regulations who is engaged in a business which involves the export of rationed foods, other than sugar, may open a ration bank account for each such rationed food, other than sugar, he exports (for which he does not already have an account), in the same way that a "wholesaler" registered under the provisions of the order rationing that food may open an account. (However, such an exporter is not, merely because of his exports, required to register as a "wholesaler" under such ration order.) Ration bank accounts are to be opened in accordance with the provisions of Revised General Ration Order 3A.

2. Section 10 (b) is amended to read as follows:

(b) Only ration evidences received to acquire rationed foods for export, other than sugar, may be deposited in an account opened under this section and checks may be issued against that account only to acquire rationed foods, other than sugar, for export or to account to the District Office for evidences received to acquire such foods, other than sugar. (Checks obtained for the export of sugar may be transferred only in accordance with the provisions of section 7.1 (b) of Second Revised Ration Order 3.)

3. Section 11 is redesignated section 12 and a new section 11 is added to read as follows:

SEC. 11. *Issuance of ration checks for sugar.* (a) Before issuing any sugar ration check under the provisions of this order, the District Office shall type or stamp in ink on the back of each such check the following notation:

Not valid for deposit except by a primary distributor as defined by the Sugar Rationing Regulations. Transfer by endorsement only.

¹ 9 F.R. 3508.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11747; Filed, June 30, 1945;
3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 26]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respects:

1. Section 7.1 (b) is amended by adding a subparagraph (1) to read as follows:

(b) (1) Notwithstanding the provisions of this order or of General Ration Order 3A, no person, other than a primary distributor, who receives a sugar check issued under the provisions of General Ration Orders 11 or 17, or in accordance with section 16.5 (b) of this order, may deposit such check if it has a notation typed or stamped in ink, on its back stating: "Not valid for deposit except by a primary distributor as defined in the Sugar Rationing Regulations. Transfer by endorsement only." In addition, no person who knows or has reason to believe that a check was issued under the provisions of General Ration Orders 11 or 17 or in accordance with section 16.5 (b) of this order may accept such check for any of the purposes covered by this Order unless it has on its back the notation required by General Ration Orders 11 or 17 or section 16.5 (b) of this order. Each person who has a ration bank account, other than a primary distributor, and who transfers such checks by endorsement must keep a record of each such check which he endorses and transfers. The record must show the date when the check was issued, the amount of the check, the name of the payee, and the last endorser, the issuing agency, and the dates he received and transferred that check.

2. Section 16.5 (b) is amended to read as follows:

(b) Each exempt agency, each agency listed in section 16.8 (a), and the Veterans' Administration, shall issue a check in the proper amount to the person making delivery by the time of delivery or as soon as practicable thereafter. Before issuing such check the agency shall type, or stamp in ink, on the back of each such check the following notation: "Not valid for deposit except by a primary distributor, as defined by the Sugar Rationing Regulations. Transfer by endorsement only".

This amendment shall become effective July 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been

¹ 9 F.R. 13641, 13992, 14642, 15048, 10 F.R. 201,

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11745; Filed, June 30, 1945;
3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 64 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 27) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective 12:01 a. m. July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11752; Filed, June 30, 1945;
3:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 56]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (3) is amended to read as follows:

(3) "Rationed cheeses" means all cheeses of any kind, variety or description which contain more than 5 percent butterfat, by weight, (but not including "cottage cheese," "whey products," or any cheese in the manufacture of which neither cow's milk nor milk solids derived from cow's milk are used) and any other edible product containing 30 percent or more by weight of such cheeses.

2. Section 27.1 is amended by changing the definition of "rationed cheeses" to read as follows:

"Rationed cheeses" means all cheeses of any kind, variety or description which contain more than 5 percent butterfat, by weight, (but not including "cottage cheese," "whey products," or any cheese in the manufacture of which neither cow's milk nor milk solids derived from cow's milk are used) and any other edible

¹ 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

² 9 F.R. 6731, 7060, 7081, 7082, 7187, 7203, 7253, 7367, 7344, 7428, 7878, 7774, 8182, 8793, 9934, 9955, 10049, 10087, 10590, 10876, 11543, 12036, 12649, 12971.

product containing 30 percent or more by weight of such cheeses.

3. Section 27.1 is amended to change the definition of "shortening" to read as follows:

"Shortening" means any "rationed fat or oil" other than "butter," "lard," "margarine," or "cooking or salad oil."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11750; Filed, June 30, 1945;
3:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 49 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 27 and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 27 which are made a part hereof.

This amendment shall become effective 12:01 a. m. July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11751; Filed, June 30, 1945;
3:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 12]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 4 (b) is amended by substituting the date October 14, 1945 for the date July 1, 1945 appearing in the first sentence.

2. Section 23 (i) (4) (i) is amended to read as follows:

(i) Any common carrier or any contract or private carrier of the slaughterer.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11744; Filed, June 30, 1945;
3:07 p. m.]

¹ 9 F.R. 11906, 11955, 11961, 12814, 12887, 14287, 14645; 10 F.R. 43, 521, 857, 293, 294.

² 10 F.R. 4605.

PART 1305—ADMINISTRATION

[Gen. RO 11, Amdt. 21]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 11 is amended in the following respects:

1. Section 2.3 (b) (3); section 2.4 (a) (6); section 3.2 (b) (3) and section 3.3 (a) (8) are amended to read as follows:

A statement that the replacement or the advance, for which the application is made, has not previously been obtained or applied for; or if obtained, was insufficient to permit acquisition of the full amount of the rationed food necessary to make the product or replace the full amount of rationed food used in it;

2. Section 3.4 (a), (b) and (c) are amended to read as follows:

(a) If, for reasons other than changes in point value, any of the ration evidences advanced to an industrial user are not used by him to manufacture products for delivery to the designated agency in accordance with the contract, he must return, or otherwise account for, the ration evidences advanced to the agency which made the advance. If he used the ration evidences to obtain rationed foods which were used in manufacturing products transferred to a person described in section 3.1 (a) (2), and that person does not transfer to the agency or activity in question all the products for which the advance was obtained, the industrial user must account for the balance to the agency which made the advance.

(b) If, for reasons other than changes in point values, the industrial user uses a greater quantity of rationed foods in the products acquired by the agency or activity in question than the amount it was contemplated he would use at the time he received an advance of ration evidences, he may apply for replacement of the balance under Article II of this order.

(c) Except as provided in paragraph (b) of this section, and in section 4.1 (b) of this order, any advance obtained by an industrial user under this or any other order shall be in lieu of any right of replacement which he may have under this order.

3. Section 4.1 (a) is amended to read as follows:

(a) The designated agency may, in its discretion, issue a check or checks payable to the applicant for each rationed food used or to be used in such products equal to the point value (at the time the check is issued) of rationed foods other than sugar, or the weight value of sugar. However, before issuing any check the designated agency must determine:

(1) That the products were acquired in the amounts and on the dates stated, or that the applicant has a contract with or order from the agency or activity in question or a person described in section 3.1 (a) (2) for the manufacture of the products specified in the application; and

(2) That rationed foods, in the amount stated, were used in such products, or that rationed foods, in the amount stated, will be used in such products pursuant to a contract with or an order from the agency or activity in question or the applicant or a person described in section 3.1 (a) (2); and

(3) That the other statements made in the application are true; and

(4) That the rationed foods used in the products were not obtained and are not obtainable as a provisional allowance, or that the rationed foods to be used in the products will not be obtained and are not obtainable as a provisional allowance.

4. The present section 4.1 (b) is renumbered section 4.1 (c).

5. The present section 4.1 (c) is renumbered section 4.1 (d).

6. The present section 4.1 (d) is renumbered section 4.1 (e).

7. The present section 4.1 (e) is renumbered section 4.1 (f).

8. The present section 4.1 (f) is renumbered section 4.1 (g).

9. The present section 4.1 (g) is renumbered section 4.1 (h).

10. A new section 4.1 (b) is added to read as follows:

(b) (1) If the point value of any of the rationed food covered by an application for advance or replacement is increased within 30 days after the date on which the designated agency issues its check by way of advance or replacement for such food, it may issue to the applicant a supplementary ration check for the number of points required to purchase, at the point value in effect at the time the supplementary check is issued, the quantity of rationed foods covered by the original application which, because of increases in point value, could not be obtained with the number of ration points previously issued. Application for such supplementary check must be made within 14 days after the date of the increase in point value of the rationed foods, or by July 14, 1945, whichever is later. He must submit with his application a statement of the quantity of rationed foods which had not been obtained prior to the point value increase.

The application for a supplementary check for additional ration evidences, by way of advance or replacement, must be made by the same industrial user who made the application for the original advance or replacement check, and the application must contain all the information required by section 2.4 or section 3.3 of this order, whichever is proper.

The designated agency may, in its discretion, permit the application to be made more than 14 days after the point

value increase, if the applicant, for reasons beyond his control, was unable to file the application within the 14 day period.

(2) If the point value of the rationed foods covered by any application decreases within 30 days after the date on which the designated agency issues its check and before all the rationed foods for which the check was issued is obtained, the applicant shall return to the designated agency the ration evidences or otherwise account for the ration evidences not needed to acquire the remainder of the rationed foods used or to be used by him at the decreased point value.

This amendment shall become effective June 30, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11749; Filed, June 30, 1945; 3:09 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 115]

MAXIMUM PRICES FOR THE 1945 PACK OF CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS UNDER SUPPLEMENT 6 TO FOOD PRODUCTS REGULATION NO. 1

A statement of the considerations involved in the issuance of this supplementary order has been issued and filed with the Division of the Federal Register.

§ 1305.143 *Maximum prices for the 1945 pack of certain frozen fruits, berries and vegetables and related products under Supplement 6 to Food Products Regulation No. 1.* (a) Any maximum price for the 1944 pack of any item approved or authorized by order issued pursuant to section 8 (d) or 8 (e) of Supplement 6 to Food Products Regulation No. 1 shall apply to sales and deliveries of the seller's 1945 pack of the item until the establishment by the Office of Price Administration of new maximum prices for the 1945 pack of that commodity.

(b) Any maximum price for the 1944 pack of any item approved or authorized automatically upon expiration of the 30-day period specified in section 8 (d) or 8 (e) of Supplement 6 to Food Products Regulation No. 1 shall apply to sales and deliveries of the seller's 1945 pack of the item until the establishment by the Office of Price Administration of new maximum prices for the 1945 pack of that commodity.

(c) This supplementary order shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11756; Filed, June 30, 1945; 3:11 p. m.]

¹ 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840; 9 F.R. 848, 1053, 1751, 3076, 4010, 5374, 6628, 8986.

PART 1316—COTTON TEXTILES

[RPS 35¹, Amdt. 26]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The following proviso is added to the end of § 1316.61 (c) (4): "Provided: That, it may be charged in connection with sales to manufacturers who will use the cloth (together with other material) to make moisture vapor-proof wrapping material for the ultimate use of War Procurement Agencies and in connection with sales made in conformity with AA-4 Preference Rating Schedule II of WPB General Preference Order M-388A."

This amendment shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11601; Filed, June 29, 1945;
4:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 24 to Supp. 7²]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 1 (b) (3) is added to read as follows:

(3) Sales and deliveries by a processor to government procurement agencies of the following commodities:

(i) Whole unpeeled apricots, packed in No. 10 cans, with a drained weight of 90 ounces or more per can.

(ii) Solid pack pie peaches, prepared from freestone peaches, packed in No. 10 cans by processors whose factories are located in North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma and Texas.

(iii) The following finished component parts of Ten-in-One rations: 4-ounce cans of peaches, pears, sweet cherries, apricots, any mixture of these fruits, and fruit cocktail.

This amendment shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11603; Filed, June 29, 1945;
4:39 p. m.]

¹ 8 F.R. 1963.

² 10 F.R. 1750, 2188.

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 150,¹ Amdt. 8]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The sub-heading in the last column of the table in section 9 (a) (1) is amended to read as follows: "Parboiled rice (when sold to the U. S. Government or any of its agencies)."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11766; Filed, June 30, 1945;
3:14 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,² Amdt. 19]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1351.969 is amended by deleting the word "tamales."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11755; Filed, June 30, 1945;
3:10 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMFR 156,³ Amdt. 5]

CANNED MEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. Paragraph (a) of section 1 is amended to read as follows:

(a) *In general.* This regulation fixes ceiling prices on sales of canned meat. "Canned meat" means any canned food containing meat or meat by-products

¹ 9 F.R. 11003, 12269, 14600, 14646; 10 F.R. 109, 4154, 4542.

² 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285, 5164, 9201, 10568, 11040, 11447, 14985, 15935, 16687, 17227; 9 F.R. 347, 9783; 10 F.R. 2617.

³ 10 F.R. 5457.

(other than canned soup, mince-meat, spaghetti and meat balls, chow mein, chop suey, ravioli, meat extract, and infant and junior foods and stews) having a meat and/or meat by-product content of not less than 20 percent, which is processed in accordance with good commercial practice and packed in hermetically sealed cans or glass jars, for human consumption only, except that pigs feet, bone-in or boneless, may be packed in unsealed glass jars containing less than 6½ pounds of product, net weight. The percentage of meat and/or meat by-product content shall be determined on the basis of the relation the unprocessed total weight of the meat and/or meat by-products used as ingredients bears to the unprocessed total weight of all ingredients. The ingredients may include any combination of one or more of the meats, beef, pork, veal, lamb, mutton, goat meat, variety meats and edible by-products described in Maximum Price Regulation No. 398, with or without cereal, vegetables, processed vegetable products, milk products, eggs or similar substances, including added moisture and spice or seasoning. Notwithstanding this meat and/or meat by-product content requirement, all canned hashes and stews, meat and gravy products, chili and tamales shall be deemed to be "canned meat"; and any other canned meat product not exempted from this regulation and meeting the minimum specifications which have been defined by the Meat Inspection Division of the War Food Administration or its successor in authority for such product shall be deemed to be "canned meat".

2. Subparagraph (7) of section 1 (b) is amended to read as follows:

(7) To sales of canned meat, ceiling prices for which have been established prior to the effective date of this regulation by individual orders under the General Maximum Price Regulation, Revised Maximum Price Regulation No. 148, and Revised Maximum Price Regulation No. 169, *Provided*, That such orders are not revoked.

3. Subparagraph (10) of section 1 (b) is added to read as follows:

(10) To sales of hermetically sealed cans or glass jars of soups, mince-meat, spaghetti and meat balls, chow mein, chop suey, ravioli, meat extract, and infant and junior foods and stews. The products named are exempt from the pricing provisions of Revised Maximum Price Regulation No. 156, but nothing herein contained shall be construed as exempting any of the products named above from price control under any other regulation, if applicable.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11753; Filed, June 30, 1945;
3:10 p. m.]

**PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS**

[RMPR 169, Amdt. 56]

**BEEF AND VEAL CARCASSES AND WHOLESALE
CUTS**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The headnote "Cutter and canner or D" appearing above the first column of prices in the table of § 1364.452 (1) (2) is amended to read "Cutter and canner or D (other than bull)".

2. A new column of prices is inserted in the table of § 1364.452 (1) (2) to read as follows:

Price zone:	Cutter and canner or D (bull)
1.....	\$20.25
2.....	19.50
3.....	18.50
4.....	18.50
5.....	19.00
6.....	19.25
7.....	19.50
8.....	19.75
9.....	20.00
10.....	20.25

3. The last two sentences of § 1364.452 (1) (3) are amended to read as follows: "The seller shall place a sticker or stencil on the container certifying the appropriate grade and class (e. g., cow, bull, etc.) of the "boneless beef for Army canned meat" contained therein. By placing an official United States inspection stamp on the container, the official inspector shall attest the accuracy of the seller's certification."

4. Section 1364.455 (a) (8) is amended to read as follows:

(8) "Beef carcass" means and is limited to two sides of beef or two hindquarters and two forequarters derived in either case from the same beef animal which shall be dressed in the following manner: The head shall be removed by disjuncting at the socket joint (occipito-atlas). The hide shall be entirely removed. The belly shall be opened by cutting or sawing through the aitch bone (symphysis-pelvis) down the belly in a straight line to the center of the sternum bone and continuing through the sternum bone to the neck. All the viscera (not including the kidneys and the kidney fat) shall be removed. The heart (mediastinal) fat, caul fat and the sweetbreads from the neck shall be entirely removed. The front feet shall be detached at the lower knee (carpo-metacarpal) joint and the hind legs shall be detached at the hock (tarso-metatarsal joint). The tail shall be removed leaving not more than two tail (caudal) vertebrae remaining attached to the carcass.

In dressing cows the udders shall be entirely removed. In dressing steers,

stags, and bulls the entire genito-urinary tract shall be removed. The carcass shall be separated into two sides by splitting or sawing the chine bones as nearly as possible through the center of the spinal column and spinous processes so that the spinal cord is fully exposed. The muscular portion of the skirt (diaphragm) shall be left attached to the carcass but the non-muscular part (centrum tendineum) shall be trimmed so as to leave not more than ½ inch of it remaining adjacent to the red (muscle) meat. Bruises and grubs shall be trimmed out. The hanging tender shall be left on the carcass. The inside of the carcass shall be thoroughly cleaned by washing. The beef carcass shall not be broken in any other manner than as provided in paragraph (a) (10) of this § 1364.455.

5. Section 1364.455 (a) (9) is amended to read as follows:

(9) "Side of beef" or "one-half carcass" means a hindquarter and forequarter separated or attached which are derived from one side of a beef animal and which have been dressed in accordance with the specifications applicable to "beef carcass" specified in paragraph (a) (8) hereof.

6. Section (a) (10) (ii) is amended to read as follows:

(ii) "Forequarter" means the anterior portion of the side remaining after the severance of the one rib hindquarter from the side and comprises the rib, regular chuck, brisket, short plate and fore-shank, all in one piece, which anterior portion contains the first and twelfth ribs, inclusive. No heart (mediastinal) fat or neck sweetbreads and not more than ½ inch of the fibrous part (centrum tendineum) of the skirt (diaphragm) shall appear in the forequarter and otherwise it shall be dressed in accordance with the specifications applicable to "beef carcass" as set forth in paragraph (a) (8) of this section.

7. Section 1364.467 (p) is added to read as follows:

(p) *Frozen fabricated veal (Army specifications)*. (1) On and after June 30, regardless of any contract, agreement or other obligation, no person shall sell or deliver frozen fabricated veal (Army specifications) to any purchasing agency of a war procurement agency at a price higher than the maximum price permitted therefor in paragraph (p) (2) of this section. The sale or delivery of frozen fabricated veal (Army specifications) to a purchaser other than a purchasing agency of a war procurement agency is prohibited.

(2) The maximum f. o. b. boning plant price for frozen fabricated veal (Army specifications) in each of the following price zones shall be:

[Zone prices per hundredweight in carload or less-than-carload quantities, frozen, packaged and boxed in accordance with the requirements and specifications contained in CQD No. 371 "Veal, Fabricated, Frozen", issued by the Chicago Quartermaster Depot of the United States Army. The price for any fraction of a

hundredweight shall be reduced accordingly. Additions and deductions of Schedules III and II, respectively, are not applicable.]

Price zone	Choice or A A	Good or A	Com- mercial or B
1.....	\$34.00	\$32.30	\$29.00
2.....	32.60	30.90	27.60
3.....	31.55	29.85	26.55
4.....	30.50	28.80	25.50
5.....	31.20	29.50	26.20
6.....	31.55	29.85	26.55
7.....	31.90	30.20	26.90
8.....	32.25	30.55	27.25
9.....	32.60	30.90	27.60
10.....	32.95	31.25	27.95

1 All veal carcasses designed for Army use shall be inspected and passed by a representative of the Army Veterinary Corps and the cutting, boning, trimming, packaging, boxing and any other necessary preparation for freezing involved in the production of frozen fabricated veal (Army specifications) shall be supervised by him at the time of such preparation in accordance with Army regulations. No veal shall be packed as frozen fabricated veal (Army specifications) except in the presence of the official inspector designated by the United States Army Veterinary Corps or other United States Government agency. Each box or shipping container shall have clearly printed or legibly stenciled on it the net weight, grade and type of cut contained in the box and the official stamp of the representative of the Veterinary Corps shall attest to the accuracy of the legend appearing thereon.

(3) "Frozen fabricated veal (Army specifications)" as used in this paragraph (p) means fabricated veal legs, backs (ribs and short loins) and boneless shoulders (brisket attached), in the same proportion as these cuts are derived from veal carcasses of grades choice, good, and commercial, and satisfying the requirements and specifications contained in CQD No. 371 "Veal, Fabricated, Frozen" issued by the Chicago Quartermaster Depot of the United States Army. Any frozen fabricated veal which has been rejected by a purchasing agency of a war procurement agency may not be sold or delivered unless the Administrator at Washington, D. C., by order, authorizes its sale or delivery to a designated purchaser or purchasers, upon receipt of an application from the seller showing the grade, type and amount of meats rejected, the date and reasons for the rejection and the name and address of the proposed purchaser or purchasers. In addition, such application shall be accompanied by a certification of the Meat Inspection Division of the Department of Agriculture that the meat is fit for human consumption.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11782; Filed, June 30, 1945;
3:13 p. m.]

**PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS**

[MPR 184, Amdt. 6]

SALES BY CANNERS OF MAINE SARDINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 184 is amended in the following respects:

1. Section 1364.106 (c) is revoked.

2. Section 1364.110 is amended to read as follows:

§ 1364.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 184 the term:

(1) "Maine sardines" means canned Atlantic sea herring (ordinarily *Clupea harengus*) of the sizes customarily packed and marketed under the trade designation, sardines.

(2) "Price per case" means, as to $\frac{1}{4}$'s, the price for a lot of one hundred cans packed for shipment in the usual container and, as to $\frac{3}{4}$'s, the price for a lot of forty-eight cans packed for shipment in the usual container.

(3) "Smoked Maine sardines" are Maine sardines which have been subjected to a curing process by the application of heat and smoke over an open fire or in an oven.

(4) " $\frac{1}{4}$'s" means $\frac{1}{4}$ Drawn cans (300.5×404×014.5).

(5) " $\frac{3}{4}$'s" means $\frac{3}{4}$ Three Piece cans (308×412×112) or $\frac{3}{4}$ Drawn cans (304×508×105).

(6) "Canner" means a person who preserves Maine sardines by processing and hermetically sealing in metal containers: *Provided*, That any person who, during the year prior to March 31, 1942, conducted canning operations and also maintained established local wholesale or retail selling branches, doing business in the same manner as other wholesalers or retailers generally in the localities where such branches were situated, shall not be deemed a canner subject to this Maximum Price Regulation No. 184, as to any sales by such branches of the same general character as those they were accustomed to make prior to March 31, 1942.

(7) *Styles of pack.* (i) "Standard keyless can pack" means a pack meeting the following specifications:

The minimum count of fish per $\frac{1}{4}$ size keyless can, whether packed in oil, mustard sauce, tomato sauce, or other packing medium, shall be 4 fish, and in all cans packed with less than 8 fish, the heads of all fish shall be removed by cutting. No broken fish shall be packed. The minimum quantity of oil shall be not less than 4 pounds per case of 100 $\frac{1}{4}$ size cans. The minimum count of fish for $\frac{3}{4}$ size cans shall be 4 fish, and the minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 48 $\frac{3}{4}$ size cans. For all $\frac{1}{4}$ size cans of sardines packed with tomato or mustard sauce, there shall be not less than 6 pounds of tomato or mustard sauce per case of 100 $\frac{1}{4}$ size cans.

(ii) "Standard key can pack" means a pack meeting the following specifications:

The minimum count of fish per $\frac{1}{4}$ size key can, whether packed in oil, mustard sauce, tomato sauce, or other packing medium, shall be 5 fish. In all key cans packed with less than 8 fish, the heads of all fish shall be removed by cutting, and the tails shall be removed by cutting, or

shall be neatly trimmed. No broken fish shall be packed. The minimum quantity of oil shall be not less than 5 pounds per case of 100 $\frac{1}{4}$ size key cans. The minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 100 $\frac{1}{4}$ size key cans. The minimum count for $\frac{3}{4}$ size cans shall be 4 fish, and the minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 48 $\frac{3}{4}$ size cans.

(iii) "Fancy grade pack" means a pack meeting the following specifications:

The minimum count of fish per $\frac{1}{4}$ size can shall be 5 fish. All fish shall have heads removed by cutting, and in all cans packed with less than 8 fish the tails shall be removed by cutting or shall be neatly trimmed. The minimum quantity of oil shall be not less than 5½ pounds per case of 100 $\frac{1}{4}$ size cans. The fish in the cans shall be free from defects, no detached heads or tails present, and the fish shall be uniform in size.

(iv) *General.* In packing the listed styles of pack, the quality of the oil shall be for cotton-seed a "prime winter yellow" sweet in flavor and odor and shall not contain more than $\frac{1}{100}$ of 1% of free fatty acid, or a pure unadulterated soybean oil, peanut oil, olive oil or any vegetable oil not below the grade of "prime winter yellow" cottonseed oil. The quality of the tomato sauce shall be of not less than 1.035 specific gravity.

"Cutting" shall mean removing the heads of the fish packed, either before or after flaking and steaming, by some implement or device operated by hand, or by a machine or mechanical device operated by power. The operation of "cutting" does not mean the practice of beheading the fish by "snipping" or "pinching" the heads off the fish with the fingers.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

3. Section 1364.112 is amended to read as follows:

§ 1364.112 *Appendix A: Maximum Canners' prices for Maine sardines.* (a) The prices set forth below are the maximum prices per case for Maine sardines, packed in the listed container sizes and styles of pack, f. o. b. the railroad shipping point nearest the cannery. These maximum prices are gross prices and the canner must deduct therefrom his customary allowances, discounts, and differentials to purchasers of different classes.

Standard keyless can pack (cans not scored for convenience in opening and without keys)

$\frac{1}{4}$'s Cottonseed oil, soybean oil, mustard or tomato sauce ¹	\$4.55
$\frac{3}{4}$'s Cottonseed oil, soybean oil, mustard or tomato sauce ¹	4.55

Standard key can packs (cans scored for convenience in opening and with keys)²

$\frac{1}{4}$'s Cottonseed oil, soybean oil, mustard or tomato sauce, decorated (lithographed) cans.....	\$5.18
$\frac{1}{4}$'s Cottonseed oil, soybean oil, mustard or tomato sauce, wrapped or in cartons.....	5.43

Fancy grade packs (cans scored for convenience in opening and with keys)²

$\frac{1}{4}$'s peanut oil, decorated (lithographed) cans.....	\$5.875
$\frac{1}{4}$'s peanut oil, wrapped or in cartons.....	6.125
$\frac{1}{4}$'s cottonseed oil, soybean oil, smoked, decorated (lithographed) cans.....	6.875
$\frac{1}{4}$'s cottonseed oil, soybean oil, smoked, wrapped or in cartons.....	7.125
$\frac{1}{4}$'s olive oil, decorated (lithographed) cans.....	9.875
$\frac{1}{4}$'s olive oil, wrapped or in cartons.....	10.125
$\frac{1}{4}$'s olive oil, smoked, decorated (lithographed) cans.....	10.375
$\frac{1}{4}$'s olive oil, smoked, wrapped or in cartons.....	10.625

¹ Add 30 cents per case to the listed price for sardines packed west of the Penobscot River or outside of the State of Maine and sold to governmental procurement agencies.

² Without keys deduct \$0.125 from the listed price.

(b) For container sizes or types or styles of pack not listed in paragraph (a), the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by a statement showing costs and usual differentials. All orders pricing packs of Maine sardines issued under this paragraph or otherwise prior to June 29, 1945, are hereby revoked.

(c) *Sales to governmental agencies.* The maximum price for sales of canned Maine sardines to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration, and the Veterans' Administration shall be 97½ percent of the price established in paragraph (a) of this section; from the price thus computed there shall be deducted a cash discount of 1½ percent if payment is made within 10 days from the date of receipt by the designated office of the government procurement agency of a properly authenticated claim.

4. Section 1364.112a is added after § 1364.112 to read as follows:

§ 1364.112a *Adjustment of maximum prices for Maine sardines sold to the War Food Administration or any procurement agency thereof.* (a) Any canner of Maine sardines who has entered into or proposes to enter into a contract for the sale of Maine sardines to the War Food Administration or any procurement agency thereof and who believes that this maximum price impedes or threatens to impede the production of Maine sardines subject to such contract may apply for adjustment of the maximum price for such sale.

(b) Notwithstanding the provisions of Section 1364.102, upon the filing of an application for adjustment or within 5 days prior thereto, and until final disposition of the application, contracts may be entered into at the price or prices requested in the application and deliveries may be made under such contracts except that the seller may not receive and the buyer may not pay the amount by

which the price exceeds the maximum price unless and until an order authorizing a higher price has been issued. The seller shall include in any sale, or contract to sell at the price requested in the application the following:

(1) The maximum price for the Maine sardines in question.

(2) A statement that the price quoted in the contract is subject to approval of the Office of Price Administration.

(3) A statement that an appropriate application has been filed or will be filed within 5 days with the Office of Price Administration.

(c) *Contents of application.* The application shall include

(1) The name and address of the applicant.

(2) The names and addresses of each of the applicant's plants in which Maine sardines are being or will be produced.

(3) The requested unit price.

(4) The price quoted in the applicant's contract with the War Food Administration or any procurement agency thereof.

(d) *Place of filing.* An original and 2 copies of each application and all supplementary data shall be filed with the Office of Price Administration at Washington, D. C.

(e) *Supplementary data.* The applicant shall submit:

(1) Form A—*Annual Financial Report*—(issued by the Office of Price Administration) for the last and for the current fiscal year. ("Current fiscal year" means the applicant's fiscal year during which the application for adjustment was filed). See instruction sheet accompanying Form A.

(2) The amount of salaries, withdrawals, commissions, bonuses or other compensation received by officers or other such executives (if the applicant is a corporation), partners and proprietors.

(3) The amount and gross dollar sales volume of each product and service sold during the current fiscal year.

(4) The gross dollar sales volume of the standard keyless can pack during the current fiscal year.

(5) The number of cases of the standard keyless can pack produced during the current fiscal year.

(6) The number of cases of the standard keyless can pack delivered to the War Food Administration (or any procurement agency thereof) between the date the application was filed and March 31, 1946.

(7) In addition applicants, 20% or more of whose gross dollar sales volume during the current fiscal year consisted of production other than Maine sardines, must file Form OPA 612:205 set out in Appendix A to Procedural Regulation No. 6. Such form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A to Procedural Regulation No. 6.

(f) *Amount of adjustment.* (1) In the case of applicants more than 80 percent of whose gross dollar sales volume during the current fiscal year consisted of Maine sardines, the adjustment shall be sufficient so that the applicant will real-

ize 25 cents over his "average total cost" for each case of Maine sardines delivered to the War Food Administration, or any procurement agency thereof, between the date the application was filed and March 31, 1946.

(2) "Average total cost" shall be computed by:

(i) Multiplying the applicant's total cost of all operations during the current fiscal year (exclusive of salaries, withdrawals, commissions, bonuses or other compensations received by officers and other such executives—if the applicant is a corporation—partners and proprietors) by the ratio obtained through dividing his total gross dollar sales volume of the standard keyless can pack during the current fiscal year by his total gross dollar sales volume from all operations and

(ii) Dividing the result by the number of cases of the standard keyless can pack he produced during the current fiscal year.

(3) In the case of applicants 20% or more of whose gross dollar sales volume during the current fiscal year consisted of products other than Maine sardines the adjustment shall be made in accordance with the criteria established for applications under Supplementary Order No. 9 and Procedural Regulation No. 6.

(4) In no case will the adjusted prices for the keyless standard pack exceed \$5.30 per case for sardines packed west of the Penobscot River or outside of the State of Maine or \$5.00 per case for sardines packed elsewhere.

(g) *Protests of denials of applications.* Any applicant whose application for adjustment has been denied in whole or in part may file a protest in accordance with the provisions of Revised Procedural Regulation No. 1.

(h) The provisions of Supplementary Order No. 9 and Procedural Regulation No. 6 are hereby made inapplicable to this regulation No. 184 except as otherwise specifically provided in this section.

5. Section 1364.113 is amended to read as follows:

§ 1364.113 *Notification to wholesalers, retailers and other distributors.* If any amendment to this regulation changes a canner's maximum price for any item of canned Maine sardines, with the first delivery of that item after the effective date of such amendment the canner must:

(a) Supply each wholesaler and retailer who purchases that item from him with the following written notice:

(Insert date)

NOTICE TO WHOLESALE & RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 184. We are authorized to inform you that if you are a wholesaler or a retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations. (See Section 6 in each case). You must refigure your ceiling price on the first

delivery of such item to you on or after (insert effective date of amendment).

For a period of 90 days after the effective date of such amendment, and with the first shipment after the 90 day period to each person who has made a purchase within that time the canner shall include in each case or carton containing the item the written notice set forth before or securely attach it to the outside thereof.

(b) Supply each purchaser of the item who is a distributor other than a wholesaler and retailer with a written notice of the establishment of the new maximum price. The notice, which shall be attached to or stated on the invoice covering the first delivery to such purchaser after the effective date of the amendment changing the maximum price, shall read as follows:

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALE & RETAILERS

Our OPA ceiling price for (describe item) has been changed, under the provisions of Maximum Price Regulation No. 184. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you after (insert effective date of amendment), of any change in your maximum price. This notice must be made in the manner prescribed in Section 10 of Maximum Price Regulation No. 542, substituting the date (insert effective date of amendment) for the date July 17, 1944.

This amendment shall become effective June 29, 1945.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11599; Filed, June 29, 1945;
4:38 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 239, Amdt. 18]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. A footnote reference "1" is inserted after the word "carcass" in the table of paragraph (b) of § 1364.177, and a footnote is added to appear below the table reading as follows:

¹ 25 cents per hundredweight may be added on sales of lamb or mutton carcasses to a war procurement agency or on sales of set-aside lamb or mutton carcasses to any authorized purchaser of set-aside lamb or mutton where the latter transaction is covered by a separate invoice and where such purchaser has satisfied the requirements of WFO 75-5.

2. A footnote reference "1" is inserted after the words "Fabricated carcasses" in the table of paragraph (d) (2) of § 1364.177, and a footnote is added to appear below the table to read as follows:

¹ Where fabricated lamb or mutton carcasses (War Shipping Administration specifications) are prepared from lamb or mutton carcasses which have been set aside for war procurement purposes pursuant to WFO 75-5, the seller may add 25 cents per hundredweight to the table of prices listed above.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11754; Filed, June 30, 1945;
3:10 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 286, Amdt. 7]

CERTAIN SAUSAGE PRODUCTS FOR WAR PRO-
CUREMENT AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 286 is amended in the following respects:

1. The title of the regulation is amended to read as follows: "Certain Sausage Products for War Procurement Agencies, Licensed Ship Suppliers, and Ship Operators."

2. The preamble to the regulation is amended by changing the table headed "Contents" and the unnumbered paragraph immediately following to read as follows:

Sec.	
1364.801	Prohibition against selling certain sausage items at prices above the maximum to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.
1364.802	Maximum prices for certain sausage products sold to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.
1364.803	Less than maximum prices.
1364.804	Evasion.
1364.805	Enforcement, licensing, labeling, invoicing and record-keeping.
1364.806	Petitions for amendment.
1364.807	Zones.
1364.808	Definitions.
1364.809	Relation to other maximum price regulations.
1364.810	Revocation or replacement of regulation.
1364.811	Effective period.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Adminis-

tration, Maximum Price Regulation No. 286 is hereby issued.

3. Section 1364.801 is amended to read as follows:

§ 1364.801. *Prohibition against selling certain sausage items at prices above the maximum to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.* On and after December 19, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any of the sausage items specified in § 1364.802 hereof, to any war procurement agency of the United States Government at prices higher than the maximum prices specified in § 1364.802. On and after June 30, 1945, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any of the sausage items specified in § 1364.802 hereof, to any licensed ship supplier or any ship operator at prices higher than the maximum prices specified in § 1364.802. The maximum prices specified herein shall not be applicable to products delivered prior to December 19, 1942, to a carrier other than a carrier owned or controlled by the seller, for delivery to a war procurement agency, or prior to June 30, 1945, for similar delivery to a licensed ship supplier or a ship operator.

4. Section 1364.802 is amended to read as follows:

§ 1364.802. *Maximum prices for certain sausage products sold to war procurement agencies of the United States Government, licensed ship suppliers and ship operators.* The maximum prices on sales to war procurement agencies, licensed ship suppliers and ship operators of certain sausage products produced in accordance with Federal specifications and approved by the Federal Specifications Board, for use of agencies of the United States Government shall be computed as provided in this section.

(a) *How to determine maximum prices.* (1) The maximum price for products sold f. o. b. the point of production shall be the base price specified in paragraph (b) of this section, plus the amount specified in paragraph (c) of this section for the zone in which the product is produced, plus the additions specified in paragraphs (d) and (e) of this section where applicable.

(2) For product sold on any basis other than "f. o. b. the point of production," the maximum price shall be: (i) the base price specified in paragraph (b) of this section, (ii) plus the amount specified in paragraph (c) of this section for the zone in which the product is delivered into the physical possession of the buyer, (iii) plus the additions specified in paragraphs (d) and (e) of this section, where applicable: *Provided*, That in any case where local delivery is charged under paragraph (e) (1) of this section, the addition authorized in subdivision (ii) of this subparagraph (2) shall be determined in accordance with the zone location of the selling establishment from which the local delivery begins; and, *Provided further*, That if the product is shipped by common carrier from an es-

tablishment of the seller located in the zone in which the buyer takes physical possession, the cost of such carriage may be added in lieu of the addition for local delivery provided in subparagraph (1) of paragraph (e).

(b) *Base prices.* The prices set forth in this paragraph (b) shall be the base prices per hundredweight for all sales of the products listed, and include all packing costs, except for export shipment.

Product	Price per cwt.
1. Frankfurters, sheep casings.....	\$27.00
2. Frankfurters, skinless or hog casings.....	24.00
3. Bologna, beef bungs or middles.....	22.00
4. Bologna, artificial casings.....	21.25

(c) *Zone differentials.* Depending upon the point of production for f. o. b. sales, as specified in paragraph (a) (1), or the point at which the product is delivered into the physical possession of the buyer for all sales other than "f. o. b. the point of production," the seller may add to the base price per hundredweight the applicable one of the following zone differentials:

Zone 1.....	\$2.25
Zone 2.....	1.25
Zone 3.....	.75
Zone 4.....	Base
Zone 5.....	.50
Zone 6.....	.75
Zone 7.....	1.00
Zone 8.....	1.25
Zone 9.....	1.50
Zone 10.....	1.75

(d) *Permitted additions for selling.* One of the following amounts may be added to cover the cost of selling:

	Per cwt.
(1) On sales to ship operators by a Group II ship chandler (as defined in section 13 (a) of Maximum Price Regulation No. 389).....	\$3.00
(2) On sales to ship operators by a Group I ship chandler (as defined in section 13 (a) of Maximum Price Regulation No. 389) or a hotel supply house (as defined in section 13 (a) of Maximum Price Regulation No. 389) which is a licensed ship supplier.....	2.25
(3) On sales to ship operators by all licensed ship suppliers other than those specified in subparagraphs (1) and (2) of this § 1364.802 (d).....	1.50
(4) On sales to war procurement agencies and licensed ship suppliers.....	.50

(e) *Other additions.* The following amounts may be added by the seller whenever applicable, subject to the conditions hereinafter provided:

(1) *Local delivery.* If the delivery of any of the products specified herein is made by a vehicle owned or operated by the seller, the seller may charge for such delivery an amount equivalent to the lowest commercial common carrier rate for such delivery. However, if there is no common carrier service to the buyer's destination, the seller may charge for delivery the actual cost of making the delivery: *Provided, however*, That such delivery charge shall in no event exceed:

\$0.25 per cwt.....	Up to 25 miles.
\$0.50 per cwt.....	26 miles to 150 miles.
\$0.75 per cwt.....	151 miles to 300 miles.

¹ 7 F.R. 10554; 8 F.R. 2157, 2350, 4640, 7681, 10079.

(2) *Freezing.* For freezing at the request of the buyer, the seller may add \$0.35 per hundredweight.

(3) *Packaging for export shipment.* For packing in an export container, United States Government specifications, the seller may add \$1.20 per hundredweight.

(4) *Certain charges paid by licensed ship suppliers.* If a licensed ship supplier who is not a slaughterer, packer or packer's branch house, has paid a charge under paragraphs (d) or (e) (1) of this § 1364.802, he may, upon resale, add the amount of such charge to the base price: *Provided*, That in no event may the total of all charges for local delivery exceed \$0.75 per hundredweight.

5. Section 1364.805 is amended by changing the title to read "*Enforcement, licensing, labelling, invoicing and record-keeping*," and by inserting the words "(a) *Enforcement*" immediately thereafter, preceding the sentence beginning with the word "Persons".

6. Section 1364.805 (a) is redesignated paragraph (b) of § 1364.805.

7. Paragraphs (c), (d) and (e) of § 1364.805 are added to read as follows:

(c) *Labelling.* All sausage sold to war procurement agencies, licensed ship suppliers and ship operators under this regulation shall bear a descriptive label or stencil affixed to the shipping container designating that it has been produced in accordance with Federal specifications, the name of the sausage and the kind of casing used.

(d) *Invoicing.* Every person making a sale of any sausage product covered by this regulation shall furnish the buyer a written statement setting forth the name and address of the buyer and the seller, the date of sale, the name of each product and the type of casing used thereon sold to such buyer, the weight thereof, the total price charged for each product, and a separate itemized statement on the invoice of the local delivery charges made.

(e) *Records.* Every person making sales and every person making purchases in the course of trade or business of the sausage products subject to this regulation on and after June 30, 1945, shall make and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of each such transaction showing the date of sale or purchase, the name and address of the seller and buyer, the name of each sausage product sold or bought and the type of casing used thereon, the weight thereof, and the price charged or paid therefor, itemizing separately all charges for local delivery.

8. Paragraphs (c) and (d) are added to § 1364.808 to read as follows:

(c) "Licensed ship supplier" means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators.

(d) "Ship operator" means any person as defined in Food Distribution Regula-

tion No. 3 who conducts "the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration, which is owned, chartered, or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

This amendment shall become effective June 30, 1945.

NOTE: The record-keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11761; Filed, June 30, 1945;
3:13 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND MIXTURES

[MPR 118,¹ Amdt. 33]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The following proviso is added to the end of § 1400.118 (d) (23) (ii) (b): "*Provided*: That, they may be charged in connection with sales to manufacturers who will use the cloth (together with other material) to make moisture vapor-proof wrapping material for the ultimate use of War Procurement Agencies and in connection with sales made in conformity with AA-4 Preference Rating Schedule II of WPB General Preference Order M-388A."

This amendment shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11600; Filed, June 29, 1945;
4:38 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,² Amdt. 27]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 2.14 is added to read as follows:

SEC. 2.14 *Consumers who must have more sugar because of occupational reasons.* (a) Certain consumers will be

¹ 8 F.R. 12186.

² 9 F.R. 13992, 14642, 15048; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2874, 3223, 4105, 4715.

granted evidences for sugar to meet their nutritional needs. Such issuances will be given only if those consumers are workers in an industry or occupation designated by the Deputy Administrator for Rationing, and only after a determination based on studies and recommendations made by the War Food Administration.

(b) Applications shall be filed on OPA Form R-315 with the Board for the area where the consumer resides. The Regional Office is authorized to rule on such applications. It may, however, delegate authority to District Offices or local boards in its region to rule on such applications. The Regional Office or an authorized board or district office may grant evidences under this section only when authorized by instructions from the Deputy Administrator for Rationing, and only to persons and under the conditions and limitations set forth in those instructions.

(c) Any consumer who is entitled to issuances under this section shall not be entitled to issuances under section 2.10 since the purpose of this section will be to cover nutritional needs to the extent that food supplies and other conditions permit.

This amendment shall become effective June 30, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11775; Filed, June 30, 1945;
4:00 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,¹ Amdt. 57]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 2.8 is added to read as follows:

SEC. 2.8 *Consumers who must have more foods covered by this order because of occupational reasons.* (a) Certain consumers will be granted points for foods covered by this order to meet their nutritional needs. Such issuances will be given only if those consumers are workers in an industry or occupation designated by the Deputy Administrator for Rationing, and only after a determination based on studies and recommendations made by the War Food Administration.

(b) Applications shall be filed on OPA Form R-315 with the Board for the area where the consumer resides. The Regional Office is authorized to rule on such applications. It may, however, delegate authority to District Offices or local boards in its region to rule on such

¹ 10 F.R. 2521, 2875, 3223, 3549, 3556.

applications. The Regional Office or an authorized board or district office may grant points under this section only when authorized by instructions from the Deputy Administrator for Rationing, and only to persons and under the conditions and limitations set forth in those instructions.

(c) Any consumer who is entitled to issuances under this section shall not be entitled to issuances under section 2.7 since the purpose of this section will be to cover nutritional needs to the extent that food supplies and other conditions permit.

This amendment shall become effective June 30, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11776; Filed, June 30, 1945;
4:01 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471,1 Amdt. 6]

LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 6 of Revised Maximum Price Regulation 471 is amended to read as follows:

Sec. 6. *Records and reports.*¹ (a) Every person subject to this regulation making a bid on or an offer to purchase a lot of thresher-run or rough cleaned legume or grass seeds or making a sale or purchase of legume or grass seeds in the course of trade or business shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of such bids or offers to purchase or of such sales or purchases, including the date thereof, name of the person to whom such bid or offer was made or name of the seller and purchaser, price bid or offered or price received or paid, buyer's receiving point, and the quantity and quality of legume and grass seeds which was bid on or on which an offer to purchase was made or which was sold or purchased, and a representative sample of every lot of seed on which a bid or offer to purchase was made or which was actually purchased.

(b) Every person subject to this regulation keeping on file a representative sample of a lot of seed in accordance with the provisions of paragraph (a)

must keep such representative samples on file for at least one year for the purpose of this regulation.

(c) Every person subject to this regulation making a bid on or an offer to purchase or a purchase of a lot of thresher-run or rough cleaned legume or grass seeds, after having drawn a representative sample and made an accurate dockage determination in accordance with the method set forth in section 8 (a) (12) of this regulation, shall make a report in duplicate whether he actually purchases such lot as the result of his bid or only makes an offer to purchase. Such a report, blank forms (OPA-Form No. 634-2450) for which should be obtained from the Regional OPA Offices, District OPA Offices or the local War Price and Rationing Boards, must contain the following information:

- (1) Date of bid or purchase.
- (2) Name and address of seller or person to whom bid or offer was made.
- (3) Name and address of bidder or buyer.
- (4) Type of transaction on which report is made, whether bid or purchase.
- (5) Identification of lot of seed, giving lot number, kind of seed and gross quantity of seed.
- (6) Base price of seed.
- (7) Percentage of dockage determined from representative sample.
- (8) Net price per 100 pounds of seed.
- (9) Any additional considerations, such as sacks and transportation charges or any other charge.

The duplicate copy of this report on every bid or offer to purchase made or on every purchase completed for lots of thresher-run or rough-cleaned legume and grass seeds subject to this regulation shall be forwarded to the Seeds and Rice Section, Office of Price Administration, Washington, D. C. within 48 hours after the bid or purchase has been made.

(d) Every person subject to this regulation making a sale or offer for sale of processed legume and grass seeds as a commercial processor must declare on his records, such as bills, invoices, sales contracts and other documents relating to every sale offer for sale or delivery of legume and grass seeds, that he qualifies as a commercial processor in accordance with the provisions of this regulation and that he has been approved as such in writing by his Regional OPA Office in accordance with the provisions of this section.

(e) Any person making sales of processed legume and grass seeds as a commercial processor under this regulation, who did not file with his District OPA Office a Statement of Qualifications for Commercial Processors (OPA Form 634-2049) on or before April 17, 1945, shall submit such statement to the Regional Office of the Office of Price Administration, having jurisdiction over the area in which his principal place of business is located, for permission to make sales of processed legume and grass seeds as a commercial processor and will receive a written notice whether or not he is permitted to make such sales as a commercial processor.

(f) Any Regional Administrator of the Office of Price Administration is hereby authorized to notify any seller of processed legume and grass seeds whose

principal place of business is located in his region whether or not he is permitted to sell as a commercial processor, upon the receipt of and on the basis of a Statement of Qualifications for Commercial Processors (OPA Form No. 634-2049) filed with a District Office prior to April 17, 1945, or with a Regional Office on or subsequent to April 17, 1945. No person who has not filed a Statement of Qualifications for Commercial Processors (OPA Form No. 634-2049) and has not been authorized under this section, may take mark-ups as a qualified commercial processor of legume and grass seeds.

(g) Upon demand every seller of legume and grass seeds shall submit such records as are provided for in this section to the Office of Price Administration; and keep such further records as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget in accordance with the Reports Act of 1942.

This amendment shall become effective July 7, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 25, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-11835; Filed, July 2, 1945;
11:40 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,1 Amdt. 108]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new section 11.5 (e) is added to read as follows:

(e) Whenever the provisions governing bases or allotments are changed, supplemental allotments issued in the allotment period preceding the one for which the change is effective shall be accounted for in accordance with the provisions in effect for the period in which the supplemental allotment was issued. For example, if a user obtained a supplemental allotment in the May-June period, and effective July 1, the bases are recomputed, the supplemental allotment obtained in the May-June period shall be accounted for on the basis of the base in effect for the May-June period.

This amendment shall become effective July 1, 1945.

Issued this 30th day of June 1945:

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11650; Filed, June 30, 1945;
11:36 a. m.]

¹ 9 F.R. 8340, 10427, 12812, 13138, 13264, 14853; 10 F.R. 1269, 4208.

² The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

³ 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 14472, 15488, 16786, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196 4393 4647 4973 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121.

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 203—RULES OF PRACTICE

Pursuant to the authority vested in the Secretary of Labor by section 4 of the Public Contracts Act (49 Stat. 2036, 41 U.S.C. 35-45), there are hereby issued the Rules of Practice of July 27, 1939, as amended, which govern proceedings under sections 5 and 6 of said act.

Sec.

- 203.1 Reports of breach or violations.
- 203.2 Issuance of a formal complaint.
- 203.3 Answer.
- 203.4 Motions.
- 203.5 Interventions.
- 203.6 Witnesses and subpoenas.
- 203.7 Hearing.
- 203.8 Briefs.
- 203.9 Examiner's report.
- 203.10 Exceptions to Examiner's report.
- 203.11 Decision of Administrator.
- 203.12 Review.

AUTHORITY: §§ 203.1 to 203.12, inclusive, issued under sec. 4, 49 Stat. 2036; 41 U.S.C. 38.

§ 203.1 *Reports of breach or violations.* (a) Any employer, employee, labor or trade organization or other interested person or organization may report a breach or violation, or apparent breach or violation of the act, or of any of the rules or regulations prescribed thereunder.

(b) A report of breach or violation shall be in writing and addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C.

(c) The report should contain the following:

(1) The full name and address of the person or organization reporting the breach or violation.

(2) The full name and address of the person against whom the report is made, hereinafter referred to as the "respondent".

(3) A clear and concise statement of the facts constituting the alleged breach or violation of any of the provisions of the Public Contracts Act, or of any of the rules or regulations prescribed thereunder.

§ 203.2 *Issuance of a formal complaint.* (a) After a report of a breach or violation has been filed, or upon its own motion and without any report of a breach or violation having been previously filed, the Department may issue and cause to be served upon the respondent a formal complaint stating the charges and containing a notice of hearing before an Examiner of the Divisions. If, at the time of issuance of the complaint, the date and place of hearing are known, the notice shall fix the date and place of hearing. If the date and place of hearing are not then known, notice thereof shall be issued and served within a reasonable time after the issuance of the complaint and before such hearing. A copy of the complaint and notice of hearing shall be served upon the surety or sureties. Unless the Administrator otherwise determines, the date of hearing shall not be sooner than thirty days after the date of issuance of the complaint.

§ 203.3 *Answer.* (a) The respondent shall have the right, unless otherwise specified in the complaint and notice, within twenty (20) days after date of issuance of the formal complaint, to file an answer thereto. Such answer shall not be limited to a mere denial of the charges. It shall specifically deny or admit each of the charges, and, if the answer is in denial of any one of the charges, it shall contain a concise statement of the facts relied upon in support of the denial. Any charges not specifically denied in the answer shall be deemed to be admitted and may be so found by the Examiner, unless the respondent disclaims knowledge upon which to make a denial.

If the answer should admit any charge but the respondent believes there are reasons or circumstances warranting special consideration, such reasons and circumstances should be fully but concisely stated.

(b) Such answer shall be in writing, and signed by the respondent or by a duly authorized agent with power of attorney affixed.

(c) If no answer is filed, or if the answer as filed does not warrant a postponement of the hearing, such hearing will be held as scheduled.

(d) The original and two copies of the answer shall be filed with the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C.

(e) In any case where a formal complaint has been amended, the respondent shall have the right to amend his answer within such time as may be fixed by the Administrator.

§ 203.4 *Motions.* (a) All motions made previous or subsequent to the hearing, and before the filing of the Examiner's report shall be filed in writing with the Examiner, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C. Motions made subsequent to the filing of the Examiner's report shall be filed in writing with the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C. Such motions shall state briefly the order or relief applied for and the grounds for such motion. The moving party shall file an original and two copies of all such motions. All motions made at the hearing shall be stated orally and included in the stenographic report of the hearing.

(b) The Examiner designated to conduct the hearing may in his discretion reserve his ruling upon any question or motion.

(c) All motions and rulings thereon shall become part of the record in the proceeding, and rulings and orders claimed to be prejudicial shall be reviewed by the Administrator upon request.

§ 203.5 *Interventions.* (a) Any employer, employee, labor or trade organization or other interested person or organization desiring to intervene in any pending proceeding prior to, or at the time it is called for hearing, but not after the hearing, except for good cause shown, shall file a petition for leave to intervene

in writing with the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, or with the Examiner designated to conduct the hearing, setting forth the position and interest of the petitioner and the grounds of the proposed intervention. The Administrator, or the Examiner, as the case may be, may grant leave to intervene to such extent and upon such terms as he shall deem just.

§ 203.6 *Witnesses and subpoenas.* (a) Witnesses shall be examined orally under oath except that for good and exceptional cause, the Examiner may permit their testimony to be taken by deposition under oath.

(b) The Secretary of Labor, the Administrator, or the Examiner, may, upon application, issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence under oath, including books, records, correspondence, or documents that relate to the subject matter of the hearing. Applications for the issuance of subpoenas requiring the production of books, records, correspondence, or other documents, and the subpoenas for the production of such evidence shall specify the books, records, correspondence, or other documents sought. Such applications must make a showing that the documentary evidence sought is relevant to a proper determination in the proceeding.

(c) Witnesses summoned before the Examiner shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and the persons taking the depositions shall be paid by the party at whose instance the depositions are taken.

§ 203.7 *Hearing.* (a) The hearing for the purpose of taking evidence upon a formal complaint shall be conducted by an Examiner specifically designated by the Secretary of Labor, or designated by an authorized official of the Department of Labor, acting for the Secretary of Labor. At any time an Examiner may be designated to take the place of the Examiner previously designated to conduct the hearing. Such hearings shall be public, unless otherwise ordered by the Examiner.

(b) At all hearings it shall be the right of counsel for the Wage and Hour and Public Contracts Divisions to open and close, subject to the right of the Examiner to designate, upon cause shown, who shall open and close.

(c) It shall be the duty of the Examiner to inquire fully into the facts as to whether the respondent has breached or violated any of the provisions of the Public Contracts Act, or any rules or regulations prescribed thereunder, as set forth in the formal complaint. Counsel for the Wage and Hour and Public Contracts Divisions, and the Examiner, shall have the power to call, examine, and cross examine witnesses and to introduce

into the record documentary or other evidence.

(d) Any party to the proceeding shall have the right to appear at such hearing in person, by counsel, or otherwise, to call, examine, and cross-examine witnesses, and to introduce into the record documentary or other evidence.

(e) In any such proceedings, the rules of evidence prevailing in courts of law or equity shall not be controlling.

(f) In any such proceedings, in the discretion of the Examiner, stipulations of fact may be made with respect to any issue.

(g) Any objection with respect to the conduct of the hearing, including any objection to the introduction of evidence, shall be stated orally, together with a short statement of the grounds for such objection, and included in the stenographic report of the hearing. No such objection shall be deemed waived by further participation in the proceeding.

(h) Unless the Examiner otherwise directs, any party to the proceeding shall be entitled to a reasonable period at the close of the hearing for oral argument, which shall not be included in the stenographic report of the hearing unless the Examiner directs.

(i) In the discretion of the Examiner the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Examiner, or by other appropriate notice.

(j) Contemptuous conduct at any hearing before an Examiner shall be ground for exclusion from the hearing. The failure or refusal of a witness to appear at any such hearing or to answer any question which has been ruled to be proper shall be ground for the action provided in section 5 of the Public Contracts Act, and in the discretion of the Examiner may be ground for the striking out of all testimony which may have been previously given by such witness or related matters.

(k) The Secretary of Labor may in his discretion direct that, in lieu of the procedure set forth in paragraph (a) of this section, the hearing on formal complaint be held in the first instance before the Administrator of the Wage and Hour and Public Contracts Divisions, in which event the Administrator, within a reasonable period of time, shall issue an order embodying his decision which shall be final, subject to the provisions of §§ 203.11 and 203.12.¹

§ 203.8 *Briefs.* (a) Any interested person or organization shall be entitled to file with the Examiner, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C., briefs or written statements within the time limited by the Examiner.

(b) Any brief or written statement shall be stated in concise terms.

(c) Three copies of all briefs or written statements, duly signed, shall be filed.

(d) Briefs or written statements of more than twenty pages shall be properly indexed.

§ 203.9 *Examiner's report.* (a) Following any hearing before an Examiner, the Examiner shall, within a reasonable period of time, prepare a report which shall contain, among other things, findings of fact, and recommendations as to what disposition of the case should be made, which may include a recommendation as to what affirmative action should be taken by the respondent or by the Wage and Hour and Public Contracts Divisions, Department of Labor, to bring about a condition of compliance with the Public Contracts Act and the rules and regulations prescribed thereunder.

(b) The Examiner's report shall be served upon the respondent or respondents by mailing a copy thereof by registered mail to the respondent or respondents or to the attorney or attorneys of record. Upon request from employees or other interested parties, the report will be served upon such persons, and in the discretion of the Examiner, the report will be served upon such other parties or their attorneys who appeared at the hearing or upon brief by mailing a copy thereof to such persons.

§ 203.10 *Exceptions to Examiner's report.* (a) Within ten (10) days after service of the Examiner's report, any interested party upon whom such report has been served, or the trial attorney for the Government, may file with the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C., an original and four copies of a statement in writing, setting forth such exceptions to the report or the proceedings (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of any brief he may wish to file in support thereof. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file within twenty (20) days after service of the report a brief in support thereof.

(b) The statement of exceptions and the briefs filed in support thereof shall set out separately and particularly each exception to the Trial Examiner's report or rulings, and specific reference shall be made to the pages of the transcript or of the exhibits which are relevant to such exceptions. Consideration of the record on review will be limited to the specific matters raised by the statements of exceptions or briefs filed hereunder. No exception to a finding of fact will be considered by the Administrator unless it is supported by the record references required by this rule.

(c) After the expiration of the time fixed for the filing of exceptions to the Examiner's report, the Administrator shall make his decision based on the record of the proceedings, including such exceptions and briefs as may have been filed. The Administrator, on his own motion, may consider any matter raised by the record, may order the reopening of the proceeding before the Trial Examiner to take further evidence, or may permit or require oral argument before him on any of the issues involved in the proceeding.

§ 203.11 *Decision of Administrator.*²

(a) The Administrator shall issue an order embodying his decision on all issues as to whether respondent has violated the Act and the amount of damages due therefor, which shall become final, unless a petition for review is filed under § 203.12, on the expiration of the period provided for the filing of such petition. If the respondent is found guilty of violating the act, the Administrator shall make recommendations to the Secretary in his decision as to whether respondent shall be relieved from the application of the ineligible list provisions of section 3 of the act.

(b) The Decision of the Administrator shall be made part of the record of proceedings, and a copy thereof shall be served in the manner provided for the serving of the Examiner's report, upon all parties who were served a copy of the Examiner's report, including the respondent or the attorney of record and upon such other parties as the Administrator may direct.

§ 203.12 *Review.* (a) Within ten (10) days after service of the decision of the Administrator any interested party upon whom such decision has been served may file with the Administrator an original and four copies of a petition for review of his decision by the Secretary of Labor which shall set out separately and particularly each error asserted. The request for review and the record will then be certified to the Secretary of Labor.

(b) The petitioner may file a brief (original and four copies) in support of his petition within the period allowed for the filing of the petition. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file within five (5) days after the date upon which the petition is to be filed a brief in support of or in opposition to the Administrator's decision.

(c) The petition and the briefs filed under this rule shall make specific reference to the pages of the transcript or of the exhibits which are relevant to the errors asserted with respect to findings of fact and objections to such findings which are not so supported will not be considered.

(d) No matter properly subject to objection before the Administrator will be considered by the Secretary unless it shall have been raised before the Administrator or unless there were reasonable grounds for failure so to do; nor will any matter be considered by the Secretary unless included in the assignment of errors. In the discretion of the Secretary, review may be denied if the petition and brief in support thereof fail to show adequate cause for such review.

(e) The order denying review, or the decision of the Secretary, whichever is entered, will be made a part of the record, and a copy of each order or decision will be served upon the parties who were served with a copy of the Administrator's decision.

NOTE: Pursuant to section 6 of the Public Contracts Act, the following rules of practice, with respect to exceptions and exemptions, are embodied in Articles 601 and

¹ As amended October 16, 1941.

² As amended June 6, 1945.

602 of the Regulations No. 504, issued by the Secretary of Labor, September 14, 1936 (41 CFR 201.601, 201.602).

(a) Article 601, in regard to requests for exceptions and exemptions, reads as follows:

Request for the exception or exemption of a contract or class of contracts from the inclusion or application of one or more of those stipulations required by Article 1 must be made by the head of a contracting agency or department, and shall be accompanied with a finding by him setting forth reasons why such inclusion or application will seriously impair the conduct of Government business.

Request for the exception or exemption of a stipulation respecting minimum rates of pay and maximum hours of labor contained in an existing contract must be made jointly by the head of the contracting agency and the contractor, and shall be accompanied with a joint finding by them setting forth reasons why such exception or exemption is desired.

All requests for exceptions or exemptions shall be transmitted through the Procurement Division of the Treasury for submission to the Department of Labor for consideration and shall be returned through the Procurement Division.

(b) Article 602, in regard to decisions concerning exceptions and exemptions, reads as follows:

Decisions concerning exceptions and exemptions shall be in writing and approved by the Secretary of Labor, or officer prescribed by him, originals being filed in the Department of Labor, and certified copies shall be transmitted to the Department or agency originating the request, to the Comptroller General, and to the Procurement Division of the Treasury. All such decisions shall be promulgated to all contracting agencies by the Procurement Division of the Treasury.

Signed at Washington, D. C., this 29th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-11787; Filed, June 30, 1945;
4:03 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 2—MEDICAL RELIEF

SUBPART B—MEDICAL RELIEF UNDER THE ACT OF JULY 1, 1944

The regulations appearing as §§ 2.1 to 2.207 are designated as Subpart A—Medical Relief under Laws Prior to the Act of July 1, 1944 (ch. 373, 58 Stat. 682), and a new subpart designated as Subpart B—Medical Relief under the Act of July 1, 1944 (ch. 373, 58 Stat. 682), is added. Any provisions of Subpart A which are in conflict with the provisions of Subpart B are superseded.

Section 2.111, relating to emergency medical care of Red Cross personnel when serving with the U. S. Coast Guard (10 F.R. 2759) is redesignated § 2.416 in Subpart B.

Sections 2.301 to 2.411 are added, as follows:

DEFINITIONS

Sec.
2.301 Meaning of terms.

BENEFICIARIES

Sec.
2.306 Persons eligible.

AMERICAN SEAMEN

- 2.311 Use of service facilities.
- 2.312 Use of other than service facilities.
- 2.313 Application for treatment.
- 2.314 Evidence of eligibility.
- 2.315 Sickness or injury while employed.
- 2.316 Seamen from wrecked vessels.
- 2.317 Lapse of more than 90 days since last service.
- 2.318 Procedure in case of doubtful eligibility.
- 2.319 False document evidencing service.
- 2.320 Treatment during voyage; treatment not arranged for.
- 2.321 Injury while committing breach of peace.
- 2.322 Communicable diseases.
- 2.323 Certificate of discharge from treatment.

SEAMEN—EMPLOYEES OF THE UNITED STATES THROUGH WAR SHIPPING ADMINISTRATION

2.341 Conditions and extent of treatment.

SEAMEN—STATE SCHOOL SHIPS AND VESSELS OF THE U. S. GOVERNMENT

2.346 Conditions and extent of treatment.

SEAMEN—MISSISSIPPI RIVER COMMISSION

2.351 Conditions and extent of treatment.

SEAMEN—FISH AND WILDLIFE SERVICE

2.356 Conditions and extent of treatment.

MARITIME SERVICE ENROLLEES AND MERCHANT MARINE CADETS

- 2.361 Use of Service facilities.
- 2.362 Use of other than Service facilities.
- 2.363 Injury while committing breach of peace.
- 2.364 Communicable diseases.
- 2.365 Absence without leave.

CADETS AT STATE MARITIME ACADEMIES OR ON STATE TRAINING SHIPS

2.376 Conditions and extent of treatment.

FIELD EMPLOYEES OF THE PUBLIC HEALTH SERVICE

- 2.381 Use of Service facilities.
- 2.382 Use of other than Service facilities.

PERSONS AFFLICTED WITH LEPROSY

- 2.386 Admissions to Service facilities.
- 2.387 Diagnostic board for arriving patients.
- 2.388 Detention or discharge according to diagnosis.
- 2.389 Examinations and treatment.
- 2.390 Restrictions on movement within reservation.
- 2.391 Isolation or restraint.
- 2.392 Discharge.
- 2.393 Notification to health authorities regarding discharged patients.

SEAMEN ON FOREIGN FLAG VESSELS OWNED OR OPERATED BY UNITED STATES CITIZENS OR COR- PORATIONS

2.401 Conditions and extent of treatment.

SEAMEN ON OTHER FOREIGN FLAG VESSELS

2.406 Conditions and extent of treatment; rates; burial.

NON-BENEFICIARIES—TEMPORARY TREATMENT IN EMERGENCY

2.411 Conditions and extent of treatment.

RED CROSS PERSONNEL

2.416 Emergency medical care when serving with U. S. Coast Guard.

AUTHORITY: §§ 2.301 to 2.411, inclusive, issued under sec. 215, 58 Stat. 690; 42 U.S.C., Sup., 216; and sec. 321, 58 Stat. 695. Secs. 2.301 to 2.411, inclusive (except secs. 2.301, 2.386-2.393, and 2.401) also issued under sec.

322, 58 Stat. 696; 42 U.S.C., Sup., 249. Statutes giving special authority are listed in parentheses at the end of specific sections.

DEFINITIONS

§ 2.301 *Meaning of terms.* When used in this subpart:

(a) "Act" means the act approved July 1, 1944, 58 Stat. 682, entitled "An act to consolidate and revise the laws relating to the Public Health Service, and for other purposes";

(b) The term "Service" means the Public Health Service;

(c) The term "Surgeon General" means the Surgeon General of the Public Health Service;

(d) The term "seamen" includes any person employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation;

(e) The term "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, exclusive of aircraft and amphibious contrivances;

(f) "Medical relief station" means a first-, second-, third-, or fourth-class station of the Service;

(g) "First-class station" means a hospital operated by the Service;

(h) "Second-class station" means a medical relief facility, other than a hospital of the Service, under the charge of a commissioned officer;

(i) "Third-class station" means a medical relief facility, other than a hospital of the Service, under the charge of an acting assistant surgeon;

(j) "Fourth-class station" means a medical relief facility, other than a first-, second-, or third-class station, under the charge of an authorized Government representative;

(k) "Active duty", with respect to an enrollee of the United States Maritime Service, means that the enrollee is on the active list of that service, as distinguished from being on inactive status, and includes absence on authorized leave or liberty.

BENEFICIARIES

§ 2.306 *Persons eligible.* Under this subpart the following persons are entitled to care and treatment by the Service as hereinafter prescribed:

(a) Seamen employed on vessels of the United States registered, enrolled, or licensed under the maritime laws thereof, other than canal boats engaged in the coasting trade, hereinafter designated as American seamen;

(b) Seamen employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration;

(c) Seamen, not enlisted or commissioned in the military or naval establishments, who are employed on State school ships or on vessels of the United States Government of more than five tons' burden;

(d) Seamen on vessels of the Mississippi River Commission;

(e) Officers and crews of vessels of the Fish and Wildlife Service;

(f) Enrollees in the United States Maritime Service on active duty and members of the Merchant Marine Cadet Corps;

(g) Cadets at State maritime academies or on State training ships;

(h) Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty.

(i) Persons afflicted with leprosy;

(j) Seamen employed on foreign flag vessels owned or operated by citizens of the United States or by corporations incorporated under the law of the United States or of any State;

(k) Seamen on foreign flag vessels other than those seamen employed on foreign flag vessels specified in paragraphs (b) and (j);

(l) Non-beneficiaries for temporary treatment and care in case of emergency. (Sec. 331, 58 Stat. 698; 42 U.S.C., Sup., 255; sec. 332, 58 Stat. 698; 42 U.S.C., Sup., 256; sec. 610 (c), 58 Stat. 714; 42 U.S.C. Sup., 249 (note).)

NOTE: Section 2.306 does not list all the persons entitled to care and treatment by the Public Health Service.

Separate regulations govern: (a) the medical care of certain personnel, and their dependents, of the Coast Guard, Coast and Geodetic Survey, and Public Health Service; (b) physical and mental examinations of aliens; and (c) care and treatment of narcotic addicts.

While regulations of the Public Health Service are not required with respect thereto, circular instructions by the Service cover the care and treatment or physical examination of the following:

(1) Persons not otherwise eligible for treatment, for purposes of study;

(2) Persons detained in accordance with quarantine laws;

(3) Persons detained by the Immigration and Naturalization Service, for treatment at the request of that service;

(4) Persons entitled to treatment under the Employees' Compensation Commission Act and extensions thereof;

(5) Beneficiaries of other Federal agencies on a reimbursable basis;

(6) Medical examinations of:

(i) Employees of the Alaska Railroad and employees of the Federal Government for retirement purposes;

(ii) Employees in the Federal classified service, and applicants for appointment, as requested by the Civil Service Commission for the purpose of promoting health and efficiency;

(iii) Seamen for purposes of qualifying for certificates of service; and

(iv) Employees eligible for benefits under the Longshoremen's and Harbor Workers' Compensation Act, as amended, as requested by any deputy commissioner thereunder.

AMERICAN SEAMEN

§ 2.311 *Use of Service facilities.* American seamen (hereinafter referred to in §§ 2.311 to 2.325, inclusive, as seamen) shall, on presenting evidence of eligibility, be entitled to medical, surgical, and dental treatment and hospitalization at medical relief stations of the Service.

§ 2.312 *Use of other than Service facilities.* (a) When a seaman requires medical, surgical, or dental treatment or hospitalization and the urgency of the situation does not permit treatment at a medical relief station, arrangements for necessary treatment or hospitalization at the expense of the Service from public or private medical or hospital facilities other than those of the Service may be made by the officer in charge of a medical relief station or a quarantine station or by the director of a Service district. When such emergency treatment is necessary preference shall be given to other Federal medical facilities when reasonably available and when conditions permit.

(b) If eligibility cannot be established at the time of application by the seaman or by the person who applies in his behalf, the applicant shall be notified that the authorization for treatment is conditional and that the payment of reasonable expenses by the Service for such treatment shall be subject to proof of eligibility.

(c) In every such case of emergency treatment or hospitalization, authorized either conditionally or unconditionally, a full report shall be submitted promptly by the authorizing officer to the Surgeon General. The authorizing officer shall keep himself informed regarding the progress of the case to the end that treatment or hospitalization shall not be unduly and unnecessarily prolonged. As soon as practicable, unless the interests of the patient or the Government require otherwise, treatment or hospitalization shall be continued at a medical relief station or at another appropriate Federal medical facility.

(d) Expenses for consultants or special services, or for dental treatment other than emergency measures to relieve pain, shall not be allowed except when authorized in advance by the headquarters of the Service or, in extraordinary cases, when subsequently approved by such headquarters upon receipt of report and satisfactory explanation as to the necessity and urgency thereof.

(e) Certified vouchers on proper forms covering expenses for emergency treatment or hospitalization shall be forwarded to the Surgeon General by the authorizing officer, and each such voucher shall contain a statement of the facts necessitating the treatment or hospitalization.

§ 2.313 *Application for treatment.* A sick or disabled seaman, in order to obtain the benefits of the Service, must apply in person, or by proxy if too sick so to do, at a medical relief station or to an officer of the Service as specified in § 2.312 and must furnish satisfactory evidence of his eligibility for such benefits.

§ 2.314 *Evidence of eligibility.* (a) As evidence of his eligibility an applicant must present a properly executed master's certificate or a continuous discharge book or a certificate of discharge showing that he has been employed on a registered, enrolled, or licensed vessel of the United States. The certificate of the owner or accredited commercial agent of

a vessel as to the facts of the employment of any seaman on said vessel may be accepted in lieu of the master's certificate where the latter is not procurable. When an applicant cannot furnish any of the foregoing documents, his oath or affirmation as to the facts of his most recent (including his last) employment as a seaman, stating names of vessels and dates of service, may be accepted as evidence in support of his eligibility; such oath or affirmation shall be taken before a notary or other person authorized by law to administer oaths. Documentary evidence of eligibility, excepting continuous discharge books and certificates of discharge, shall be filed at the station where application is granted. Where continuous discharge books and certificates of discharge are submitted as evidence of eligibility, the pertinent information shall be abstracted therefrom, certified by the officer accepting the application, and filed at the station.

(b) Except as otherwise provided in §§ 2.311 to 2.325, inclusive, documentary evidence of eligibility must show that the applicant has been employed for 60 days of continuous service on a registered, enrolled, or licensed vessel of the United States, a part of which time must have been during the 90 days immediately preceding application for relief. There may be included as a part of such 60 days of continuous service as a seaman time spent in training as (1) an active duty enrollee in the United States Maritime Service, (2) a member of the Merchant Marine Cadet Corps, (3) a cadet at a State maritime academy, or (4) a cadet on a State training ship. The phrase "60 days of continuous service" shall not be held to exclude seamen whose papers show brief intermissions between short services that aggregate the required 60 days: *Provided*, That any such intermission does not exceed 60 days. The time during which a seaman has been treated as a patient of the Service shall not be reckoned as absence from vessel in determining eligibility. When the seaman's service on his last vessel is less than 60 days, his oath or affirmation as to previous service may be accepted.

§ 2.315 *Sickness or injury while employed.* A seaman taken sick or injured on board or ashore while actually employed on a vessel shall be entitled to care and treatment without regard to length of service.

§ 2.316 *Seamen from wrecked vessels.* Seamen taken from wrecked vessels of the United States and returned to the United States, if sick or disabled at the time of their arrival in the United States, shall be entitled to care and treatment without regard to length of service.

§ 2.317 *Lapse of more than 90 days since last service.* Where more than 90 days have elapsed since an applicant's last service as a seaman and he can show that he has not definitely changed his occupation, such period of time shall not exclude him from receiving care and treatment (1) if due to closure of navigation or economic conditions resulting in decreased shipping with consequent lack of opportunity to ship or (2) in the

event the applicant has been receiving treatment at other than Service expense.

§ 2.318 *Procedure in case of doubtful eligibility.* When a reasonable doubt exists as to the eligibility of an applicant for care and treatment, the matter shall be referred immediately to the headquarters of the Service for decision. If, in the opinion of the responsible Service officer, the applicant's condition is such that immediate care and treatment is necessary, temporary care and treatment shall be given pending receipt of the decision as to eligibility.

§ 2.319 *False document evidencing service.* The issuance or presentation of a false document as evidence of service with intent to procure the treatment of a person as a seaman shall be immediately reported to the headquarters of the Service.

§ 2.320 *Treatment during voyage or when not arranged for.* The service shall not be liable for the expense of caring for sick and disabled seamen incurred during a voyage, nor when the care of a seaman has not been arranged for by a responsible officer of the Service.

§ 2.321 *Injury while committing breach of peace.* Seamen injured in street brawls or while otherwise committing a breach of the peace shall not receive treatment at the expense of the Service while in jail or in a hospital other than a hospital belonging to or under contract with the Service.

§ 2.322 *Communicable diseases.* The Service shall not be liable for the expense of caring for seamen who are suffering from communicable diseases and who, in accordance with State or municipal health laws and regulations, are taken to quarantine or other hospitals under charge of local health authorities, unless such patients were admitted at the time at the request of a responsible officer of the Service.

§ 2.323 *Certificate of discharge from treatment.* A certificate of discharge from treatment may, at the discretion of the officer in charge, be given to a hospital patient, but such certificate, when presented at another medical relief station, shall not be taken as sufficient evidence of the applicant's eligibility for care and treatment, but may be considered in connection with other documentary evidence submitted by the seaman.

SEAMEN—EMPLOYEES OF THE UNITED STATES THROUGH WAR SHIPPING ADMINISTRATION

§ 2.341 *Conditions and extent of treatment.* Seamen employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

SEAMEN—STATE SCHOOL SHIPS AND VESSELS OF THE U. S. GOVERNMENT

§ 2.346 *Conditions and extent of treatment.* Seamen, not enlisted or

commissioned in the military or naval establishments, who are employed on State school ships or on vessels of the United States Government of more than five tons' burden, shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

SEAMEN—MISSISSIPPI RIVER COMMISSION

§ 2.351 *Conditions and extent of treatment.* Seamen on vessels of the Mississippi River Commission shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

SEAMEN—FISH AND WILDLIFE SERVICE

§ 2.356 *Conditions and extent of treatment.* Seamen on vessels of the Fish and Wildlife Service shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen.

MARITIME SERVICE ENROLLEES AND MERCHANT MARINE CADETS

§ 2.361 *Use of Service facilities.* Enrollees in the United States Maritime Service on active duty and members of the Merchant Marine Cadet Corps shall, upon written request of the responsible officer of the station or training ship to which such enrollees or cadets are attached, identifying the applicant, be entitled to medical, surgical, and dental treatment and hospitalization at medical relief stations of the Service. Whenever an enrollee or cadet applies for relief without the above-mentioned written request and in the opinion of the responsible Service officer the applicant's condition is such that immediate care and treatment is necessary, temporary care and treatment shall be given pending verification of the applicant's status as an enrollee or cadet.

§ 2.362 *Use of other than Service facilities.* (a) When an enrollee on active duty or a cadet requires medical, surgical, or dental treatment or hospitalization for an emergency condition and the urgency of the situation does not permit treatment at a medical relief station or at a Maritime Service medical facility, arrangements for necessary treatment or hospitalization at the expense of the Service from public or private medical or hospital facilities other than those of the Service may be made by the officer in charge of a medical relief station or a quarantine station, by the director of a Service district, or by the responsible officer of the Service assigned to a Maritime Service station, to a Merchant Marine Cadet Corps school, or to a State maritime academy. When such emergency treatment is necessary preference shall be given to other Federal medical facilities when reasonably available and when conditions permit.

(b) If eligibility cannot be established at the time of application by the enrollee or cadet or by the person who applies in his behalf, the applicant shall be notified that the authorization for treatment is conditional and that the payment of

reasonable expenses by the Service for such treatment shall be subject to proof of eligibility.

(c) In every such case of emergency treatment or hospitalization, authorized either conditionally or unconditionally, a full report shall be submitted promptly by the authorizing officer to the Surgeon General. The authorizing officer shall keep himself informed regarding the progress of the case to the end that treatment or hospitalization shall not be unduly and unnecessarily prolonged. As soon as practicable, unless the interests of the patient or the Government require otherwise, treatment or hospitalization shall be continued at a medical relief station or at another appropriate Federal medical facility.

(d) Expenses for consultants or special services, or for dental treatment other than emergency measures to relieve pain, shall not be allowed except when authorized in advance by headquarters of the Service or, in extraordinary cases, when subsequently approved by such headquarters upon receipt of report and satisfactory explanation as to the necessity and urgency therefor.

(e) Certified vouchers on proper forms covering expenses for emergency treatment or hospitalization shall be forwarded to the Surgeon General by the authorizing officer, and each such voucher shall contain a statement of the facts necessitating the treatment or hospitalization.

§ 2.363 *Injury while committing breach of peace.* Enrollees on active duty or cadets injured in street brawls or while otherwise committing a breach of the peace shall not receive treatment at the expense of the Service while in jail or in a hospital other than a hospital belonging to or under contract with the Service.

§ 2.364 *Communicable diseases.* The Service shall not be liable for the expense of caring for enrollees on active duty or cadets who are suffering from communicable diseases and who, in accordance with State or municipal health laws and regulations, are taken to quarantine or other hospitals under charge of local health authorities, unless such patients were admitted at the time at the request of a responsible officer of the Service.

§ 2.365 *Absence without leave.* Enrollees on active duty or cadets who are absent without leave shall not be entitled to receive treatment by the Service except at a medical relief station.

CADETS AT STATE MARITIME ACADEMIES OR ON STATE TRAINING SHIPS

§ 2.376 *Conditions and extent of treatment.* (a) Cadets at State maritime academies or on State training ships while they are enrollees in the U. S. Maritime Service shall be entitled to care and treatment by the Service under the same conditions and to the same extent as is provided for enrollees in the U. S. Maritime Service on active duty: *Provided, however,* That the written request of the superintendent or other responsible officer of an academy, including the master of a training ship, shall be acceptable in lieu of the written request of

the responsible officer of the Maritime Service.

(b) Cadets at State maritime academies or on State training ships when not enrolled in the U. S. Maritime Service shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen: *Provided, however,* That the written request of the superintendent or other responsible officer of an academy, including the master of a training ship, shall be acceptable in lieu of the documentary evidence of eligibility required of American seamen.

FIELD EMPLOYEES OF THE PUBLIC HEALTH SERVICE

§ 2.381 *Use of Service facilities.* Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty shall, upon presentation of satisfactory evidence of their status, be entitled to medical, surgical, and dental treatment and hospitalization at medical relief stations.

§ 2.382 *Use of other than Service facilities.* (a) Employees and noncommissioned officers in the field service of the Public Health Service when injured or taken sick in line of duty shall be entitled to the same care and treatment under the same conditions and to the same extent as is provided for American seamen in § 2.312.

(b) When employees or noncommissioned officers in the field service of the Public Health Service on duty in any foreign place are injured or taken sick in line of duty, the officer in charge shall make the necessary arrangements for treatment or hospitalization. If the patient himself is the only employee or noncommissioned officer of the Service on duty at a foreign place, the treatment or hospitalization may be obtained by or on behalf of the patient. In every such case, a full report shall be submitted to the Surgeon General by the officer in charge or by the patient himself where there is no superior on duty at the foreign place. In all other respects the provisions of § 2.312 shall govern where applicable.

PERSONS AFFLICTED WITH LEPROSY

§ 2.386 *Admissions to Service facilities.* Any person afflicted with leprosy who presents himself for care, detention, or treatment or who may be apprehended pursuant to regulations prescribed under section 332 or 361 of the act and any person afflicted with leprosy who is duly consigned to the care of the Service by the proper health authority of any State, Territory, or the District of Columbia shall be received into the Service hospital at Carville, Louisiana, or into any other hospital of the Service which has been designated by the Surgeon General as being suitable for the temporary accommodation of persons afflicted with leprosy. (Sec. 331, 58 Stat. 698; 42 U.S.C. Sup., 255.)

§ 2.387 *Diagnostic board for arriving patients.* At the earliest practicable date, after the arrival of a patient at the Service hospital at Carville, Louisiana,

the medical officer in charge shall convene a board of not less than three medical officers of the Service, who shall confirm or disapprove the diagnosis of leprosy. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 256.)

§ 2.388 *Detention or discharge according to diagnosis.* If the diagnosis of leprosy is confirmed, the patient shall be detained in the hospital as provided in these regulations; if the diagnosis is not confirmed, the patient shall be discharged. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 256.)

§ 2.389 *Examinations and treatment.* Patients shall undergo the usual routine clinical examinations which may be required for the diagnosis of primary or secondary conditions, and such treatment as may be prescribed. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 456.)

§ 2.390 *Restrictions on movement within reservation.* No patient shall be allowed to proceed beyond the limits set aside for the detention of patients suffering from leprosy except upon authority from the headquarters of the Service and under prescribed conditions applicable to the individual patient. Should any patient violate his instructions in this regard, he shall upon his return, be properly safeguarded to prevent a repetition of the offense, or, at the discretion of the medical officer in charge, be permitted to give bond to the United States of America in a penal sum not exceeding \$5,000 conditioned upon his faithful observance of this regulation. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 256.)

§ 2.391 *Isolation or restraint.* There shall be provided the necessary accommodations, within the limits set aside for persons afflicted with active leprosy, for isolation or restraint of patients when in the judgment of the medical officer in charge such action is necessary for the protection of themselves or others. The medical officer in charge shall maintain a separate register in which shall be recorded the names of patients who have been placed in isolation or restraint, and all circumstances attendant upon such isolation or restraint. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 256.)

§ 2.392 *Discharge.* The medical officer in charge of the Service hospital at Carville, Louisiana, shall convene, from time to time, a board of three medical officers for the purpose of examining patients with a view to recommending their discharge. When in the judgment of the board a patient may be regarded as no longer a menace to the public health, he may be discharged, upon approval of the headquarters of the Service, as being either cured or an arrested or latent case. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 256.)

§ 2.393 *Notification to health authorities regarding discharged patients.* Upon the discharge of a patient the medical officer in charge shall give notification of such discharge to the proper health officer of the State, Territory, District of Columbia, or other jurisdiction in which the discharged patient is to reside. The notification shall also set forth the clinical

findings and other essential facts necessary to be known by the health officer relative to such discharged patient. (Sec. 332, 58 Stat. 698; 42 U.S.C. Sup., 256.)

SEAMEN ON FOREIGN FLAG VESSELS OWNED OR OPERATED BY UNITED STATES CITIZENS OR CORPORATIONS

§ 2.401 *Conditions and extent of treatment.* For the duration of the present war and for six months thereafter seamen employed on foreign flag vessels which are owned or operated by citizens of the United States or by corporations incorporated under the laws of the United States or of any State shall be entitled to care and treatment by the Service under the same conditions, where applicable, and to the same extent as is provided for American seamen. (Sec. 610 (c), 58 Stat. 714; 42 U.S.C. Sup., 249 (Note).)

SEAMEN ON OTHER FOREIGN FLAG VESSELS

§ 2.406 *Conditions and extent of treatment; rates; burial.* (a) Except as provided in §§ 2.341 and 2.401 for seamen on certain foreign flag vessels, seamen on foreign flag vessels may, when suitable accommodations are available and on application of the master, owner, or agent of the vessel, be hospitalized at first-class stations or furnished outpatient treatment including physical examinations, at first-, second-, and third-class stations at rates prescribed by the Surgeon General with the approval of the Administrator.

(b) Upon similar application, hospitalization of such seamen or private services in connection with their treatment may be arranged for at second- and third-class stations, with the understanding that all expenses shall be paid directly to the vendors by the master, owner, or agent of the vessel. For any professional services which may be furnished by Service personnel in connection with such hospitalization or treatment, the rates charged shall be those prescribed by the Surgeon General with the approval of the Administrator.

(c) If any such seaman dies while receiving treatment by the Service, the expenses of burial shall be paid directly to the vendors by the master, owner, or agent.

NONBENEFICIARIES—TEMPORARY TREATMENT IN EMERGENCY

§ 2.411 *Conditions and extent of treatment.* Persons not entitled to treatment by the Service may receive temporary care and treatment from the Service in case of emergency as an act of humanity. Such temporary care and treatment shall be limited to hospitalization at first-class stations and to outpatient treatment at first-, second-, and third-class stations.

Dated: June 12, 1945.

[SEAL]

THOMAS PARRAN,
Surgeon General.

Approved: June 29, 1945.

WATSON B. MILLER,
Acting Federal Security
Administrator.

[F. R. Doc. 45-11803; Filed, July 2, 1945;
10:28 a. m.]

TITLE 46—SHIPPING

Chapter XII—War Shipping Administration

PART 306—GENERAL AGENTS AND AGENTS
[G.O. 45, Supp. 5]FREIGHT BROKERAGE AND COMMISSIONS ON
FARES

Paragraph (a) Rates of § 306.123 Freight brokerage is amended by striking out the second sentence and inserting in lieu thereof, the following sentence: "No brokerage will be paid on cargoes procured under Lend-Lease or UNRRA (United Nations Relief and Rehabilitation Administration) requisitions moving from continental United States ports, except as provided in §§ 301.51 to 301.57, inclusive (General Order 38)."

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator,
War Shipping Administration.

JUNE 29, 1945.

[F. R. Doc. 45-11733; Filed, June 30, 1945;
12:29 p. m.]

TITLE 49—TRANSPORTATION
AND RAILROADSChapter I—Interstate Commerce
CommissionPART 10—STEAM ROADS: UNIFORM SYSTEM
OF ACCOUNTS

PROTECTIVE SERVICE, PERISHABLE FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 27th day of June A. D. 1945.

In the matter of a Uniform System of Accounts to be Kept by Steam Roads.

In the matter of the order of July 13, 1937, effective July 1, 1937, prescribing operating revenue account 117, "Protective service—Perishable freight," for steam roads, and subsequent orders finally changing the effective date to January 1, 1946;

It is ordered, That the effective date be changed to January 1, 1947.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11806; Filed, July 2, 1945;
11:10 a. m.]

PART 14—ELECTRIC RAILWAYS: UNIFORM
SYSTEM OF ACCOUNTSPROTECTIVE SERVICE REVENUE, PERISHABLE
FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 27th day of June A. D. 1945.

In the matter of a Uniform System of Accounts To Be Kept by Electric Railways.

In the matter of the order of July 13, 1937, effective July 1, 1937, prescribing

operating revenue account 108½, "Protective service revenue—perishable freight," for electric railways, and subsequent orders, finally changing the effective date to January 1, 1946;

It is ordered, That the effective date be changed to January 1, 1947.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11805; Filed, July 2, 1945;
11:10 a. m.]

[S.O. 68, Amdt. 8]

PART 95—CAR SERVICE
FREIGHT CHARGES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 68, (codified as § 95.15 of Title 49 C.F.R.) as amended (8 F.R. 8513, 14224, 16265; 9 F.R. 7206, 14306; 10 F.R. 6040), and good cause appearing therefor: It is ordered, That:

Service Order No. 68, as amended, is hereby further amended by substituting the following provisions for those previously provided in Amendments Nos. 1 to 7, inclusive:

(a) *Overloaded cars.* When part of the contents (hereinafter termed the excess) of an overloaded car of carload freight is transferred to another car and both cars forwarded without other freight therein the following shall govern:

Freight charges. All common carriers by railroad subject to the Interstate Commerce Act shall:

(1) On the original car assess and collect freight charges, origin to final destination in effect at time of shipment, based upon the actual weight of freight left in that car after the excess has been removed, but not less than the tariff minimum weight for such car;

(2) On the car loaded with the excess freight assess and collect freight charges at the carload rate, applicable on the commodity as originally shipped, from transfer point to final destination in effect at time of original shipment, based on the actual weight of such excess freight subject to the following minima:

(i) When the tariff minimum weight depends on the length of the car, 50 percent of the minimum weight applicable to a car 40 feet 6 inches in length; or

(ii) When the tariff minimum weight depends on capacity of the car, 50 percent of 80,000 pounds; or

(iii) When the tariff minimum weight does not depend on the length or capacity of a car, 50 percent of the minimum weight applicable to the shipment as originally billed.

(b) *Exemption of freight transshipped from ocean vessels.* (1) This order shall

not apply to a single consignment consisting of two or more freight cars loaded with freight transshipped directly from ocean-going vessels to railroad cars at ports, or to freight transshipped directly from barges to railroad cars at ports on inland waterways which freight has been previously transshipped directly from ocean-going vessels to barges at ocean ports, provided all such cars are loaded to not less than the tariff minimum weight or to cubical or visible capacity, except one car for each consignment loaded with a remnant lot as defined in the following paragraph, and provided charges are assessed on the remnant lot on a weight of 10,000 pounds or more.

(2) *Remnant lot defined.* The term "remnant lot" as used herein, is that part of a consignment, insufficient to fill the last car to cubical or visible capacity, remaining after the other car or cars used for the consignment has or have been loaded to not less than the tariff minimum weight or to full cubical or visible capacity.

(3) *Loading transshipped freight.* Common carriers by railroad shall load carload freight (except a remnant lot), transshipped from vessels, to the carload minimum weight or to cubical or visible capacity of the car or cars used.

(c) *Exemption of livestock.* This order shall not apply to shipments of livestock.

(d) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(e) *Expiration date.* This order as amended shall expire at 12:01 a. m., January 31, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That:

Tariff provisions suspended. The operation of all tariff rules, regulations or charges insofar as they conflict with the provisions of this amendment is hereby suspended.

Announcement of suspension. Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby announcing the suspension and publishing the provisions required by this amendment. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

Effective date. This amendment shall become effective at 12:01 a. m., July 15, 1945.

It is further ordered, That this amendment shall vacate and supersede all prior amendments on the effective date hereof; that a copy of this order and direction shall be served upon each State railroad regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.,

and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11634; Filed, June 30, 1945;
11:05 a. m.]

[S. O. 304, Amdt. 4]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR CARLOAD GRAIN

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

Upon further consideration of Service Order No. 304 (10 F.R. 4612), as amended (10 F.R. 5327, 5464, 6315), and good cause appearing therefor: *It is ordered, That:*

Service Order No. 304 (10 F.R. 4612), as amended, be, and it is hereby, suspended until further order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 2, 1945; that copies of this order and direction shall be served upon the State regulatory bodies of all States and the District of Columbia, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11635; Filed, June 30, 1945;
11:05 a. m.]

[S. O. 323]

PART 95—CAR SERVICE

PRE-ICING CITRUS PROHIBITED IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

It appearing, that refrigerator cars, to be loaded with shipments of citrus originating in the States of Arizona and California, are being pre-iced thus causing additional switching and diminishing the supply and control of refrigerator cars; in the opinion of the Commission an emergency requiring immediate action exists in Arizona and California. *It is ordered, That:*

(a) *Pre-icing citrus in Arizona and California prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with citrus fruit in Arizona or Cali-

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fornia, prior to the actual complete loading of the refrigerator car with such citrus fruit. In the event such cars are pre-iced and loaded, in violation of this provision, those cars shall not be transported.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(f) *Effective date.* This order shall become effective at 12:01 a. m., June 30, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11636; Filed, June 30, 1945;
11:05 a. m.]

[S. O. 326]

PART 95—CAR SERVICE

PROHIBITION ON LOADING OF CITRUS, ONIONS, AND POTATOES IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of June, A. D. 1945.

It appearing, that the loading of refrigerator cars with citrus fruit, onions, and potatoes at points in the States of Arizona and California has resulted in the accumulation of an excessive number of such cars so loaded and in a congestion of traffic; the Commission is of opinion an emergency exists requiring immediate

action at points in those States. *It is ordered:*

(a) *Loading of citrus, onions, and potatoes prohibited.* No common carrier by railroad subject to the Interstate Commerce Act operating in the States of Arizona or California shall accept orders for a railroad freight car to be loaded with, shall furnish or supply a railroad freight car for loading with, or allow or permit a railroad freight car to be loaded with, citrus fruit, onions, or potatoes at any point in the States of Arizona or California. In the event such cars are so loaded in violation of this provision they shall not be transported.

(b) *Application.* The provisions of this order shall apply to intrastate traffic as well as interstate traffic.

(c) *Effective date.* This order shall become effective at 12:01 a. m., July 1, 1945.

(d) *Expiration date.* This order shall expire at 7:00 a. m., July 4, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11809; Filed, July 2, 1945;
11:10 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 21A, Amdt. 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directive 21,

It is hereby ordered, That paragraph (a) of § 501.92 of General Order ODT 21A (9 F.R. 12362), be, and it hereby is, amended by striking therefrom the words "any County Farm Transportation Committee of the Department of Agriculture."

This Amendment 1 to General Order ODT 21A, shall become effective July 1, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. sec. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-11628; Filed, June 30, 1945;
10:33 a. m.]

[General Order ODT 52]

PART 502—DIRECTION OF TRAFFIC
MOVEMENT

PASSENGER RESERVATIONS RESTRICTED

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars and other transportation facilities available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to assure the orderly and expeditious movement of troops and materials of war; and to expedite the movement of necessary domestic passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered, that:

- Sec.
502.240 Definitions.
502.241 Railroad passenger reservations restricted.
502.242 Exemptions.
502.243 Communications.

AUTHORITY: §§ 502.240 to 502.243, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.240 *Definitions.* As used in this order (§§ 502.240 to 502.243, inclusive), or in any general permit issued hereunder, the term:

(a) "Carrier" means any common carrier by railroad or sleeping car company which transports passengers for compensation.

(b) "Ticket" means the evidence issued by a carrier which when presented to it will be honored for a reserved seat or sleeping space on a passenger train.

§ 502.241 *Railroad passenger reservations restricted.* (a) No carrier shall reserve, assign or allocate seating or sleeping space on a passenger train more than 120 hours in advance of the scheduled departure time of such train.

(b) No carrier shall issue a ticket for a reserved seat or sleeping space on a passenger train more than 120 hours in advance of the scheduled departure time

of such train except in the case of tickets for reservations made prior to the effective date of this order which have not been picked up.

§ 502.242 *Exemptions.* This order shall not apply to seating or sleeping space authorized by any general permit issued by the Office of Defense Transportation.

§ 502.243 *Communications.* Communications concerning this order should refer to "General Order ODT 52" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 52 shall become effective at 12:01 o'clock a. m., June 30, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11633; Filed, June 30, 1945;
10:55 a. m.]

[Administrative Order ODT 8, Amdt. 4]

PART 503—ADMINISTRATION

PROCEDURE FOR REVIEW OF TERMS AND CONDITIONS OF CERTIFICATES OF WAR NECESSITY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directive 21,

It is hereby ordered, That §§ 503.228, 503.229, 503.234, and 503.235 of Administrative Order ODT 8, as amended (8 F.R. 13073, 9 F.R. 12365, 14343; 10 F.R. 460), be, and the same are hereby, revoked.

It is hereby further ordered, That §§ 503.230 and 503.236 of said Administrative Order be, and the same are hereby, amended by striking from § 503.230 the words and figures "or § 503.229," and by striking from § 503.236 the words and figures "or 503.234 and 503.235."

This Amendment 4 to Administrative Order ODT 8, as amended, shall become effective July 1, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. sec. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 29th day of June 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-11629; Filed, June 30, 1945;
10:33 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL
WILDLIFE REFUGES

ELK REFUGE, WYO.; FISHING REGULATIONS

Under authority of § 12.3 of the General Regulations for the Administration of National Wildlife Refuges (5 F.R. 5284) as amended, the following is ordered:

Section 22.271 (4 F.R. 373, 393) *Elk Refuge, Wyoming; fishing*, of January 18, 1939 is amended by deleting from the third paragraph the words and figures "NW ¼ of Sec. 14," and inserting in lieu thereof the following: "SE ¼ of Sec. 15,"

Dated: June 26, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-11597; Filed, June 29, 1945;
2:19 p. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 85]

INTERSTATE TRANSFER, MOVING AND
STORAGE CO.

FINDING AS TO CONTRACT IN PROSECUTION
OF THE WAR

In the matter of Interstate Transfer, Moving and Storage Company, Kansas City, Kansas. Case No. S-2269.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Interstate Transfer, Moving and Storage Company, Kansas City, Kansas;

I find that the storage, warehousing and transportation of commodities by the above company, pursuant to contract, whether oral or written, through the Federal Emergency Warehousing Association, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 30th day of June 1945.

FRANCES PERKINS,
Secretary.

[F. R. Doc. 45-11786; Filed, June 30, 1945;
4:03 p. m.]

Wage and Hour Division.

[Administrative Order 353]

SPECIAL INDUSTRY COMMITTEE 4 FOR
PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT OF CERTAIN MEMBERS

By virtue of and pursuant to the authority vested in me by the Fair Labor

Standards Act of 1938, as amended, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. James A. Stuart from Special Industry Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mrs. Vesta C. Vesoske of Vega Alta, Puerto Rico.

Signed at Washington, D. C., this 27th day of June 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-11795; Filed, June 30, 1945;
5:10 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 19]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY COURTS

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A.

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the

persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Wanda Pedersen.....	Denmark.....	Estate of Thorkild S. Pedersen, deceased, Hudson County Orphans' Court, Hudson County, New Jersey.	\$182.20	Alfred J. Bedard, Administrator of the Estate of Thorkild S. Pedersen, 40 Exchange Place, New York 5, New York.	\$6.86
		<i>Item 2</i>			
"Svend" Pedersen, first name being fictitious.	Denmark.....	Same.....	109.31	Same.....	4.11
		<i>Item 3</i>			
Rosa Sorensen.....	Denmark.....	Estate of Gustav A. Sorensen, deceased, Hudson County Orphans' Court, Hudson County, New Jersey.	586.28	Alfred J. Bedard, Administrator of the Estate of Gustav A. Sorensen, 40 Exchange Place, New York 5, New York.	13.55
		<i>Item 4</i>			
"Hans" Sorensen, first name being fictitious.	Denmark.....	Same.....	351.76	Same.....	8.13
		<i>Item 5</i>			
Carla Petersen.....	Denmark.....	Estate of Martin Petersen, deceased, Hudson County Orphans' Court, Hudson County, New Jersey.	247.56	Alfred J. Bedard, Administrator of the Estate of Martin Petersen, 40 Exchange Place, New York 5, New York.	5.08
		<i>Item 6</i>			
"Kal" Petersen, first name being fictitious.	Denmark.....	Same.....	52.14	Same.....	1.00
		<i>Item 7</i>			
"Svend" Petersen, first name being fictitious.	Denmark.....	Same.....	52.15	Same.....	1.00
		<i>Item 8</i>			
"Helger" Petersen, first name being fictitious.	Denmark.....	Same.....	52.15	Same.....	1.00
		<i>Item 9</i>			
"Niels" Petersen, first name being fictitious.	Denmark.....	Same.....	52.15	Same.....	1.00
		<i>Item 10</i>			
Eva Nielsen.....	Denmark.....	Estate of Carlo B. Nielsen, deceased, Hudson County Orphan's Court, Jersey City, New Jersey.	2,080.43	Alfred J. Bedard, Administrator of the Estate of Carlo B. Nielsen, 40 Exchange Place, New York 5, New York.	21.68
		<i>Item 11</i>			
Gustl Schmied.....	Germany.....	Homer Smith, et al., vs. Harry B. Kotler, Administrator of the Estate of Erwin Winkler, deceased, Court of Chancery, New Jersey, Docket No. 148/112.	301.17	Harry B. Kotler, Administrator of the Estate of Erwin Winkler, 1143 East Jersey St., Elizabeth, New Jersey.	301.17
		<i>Item 12</i>			
Viki Neustadt.....	(Austria) Germany.....	Same.....	301.17	Same.....	301.17
		<i>Item 13</i>			
City of Schoenbeck.....	Germany.....	State Trust Co. at Plainfield vs. Elsie Schanz, et al., Court of Chancery of New Jersey, Docket No. 148/230.	69.74	The State Trust Company at Plainfield, New Jersey, Trustee of the Estate of Elsie Schanz, 221 Park Avenue, Plainfield, New Jersey.	69.74
		<i>Item 14</i>			
Church of Schoenbeck.....	Germany.....	Same.....	69.74	Same.....	69.74

[Vesting Order 3696, Amdt.]

FUJI SAKE BREWING CO. LTD.

Vesting Order Number 3696, dated May 19, 1944, is hereby amended as follows and not otherwise:

By deleting therefrom the vesting clause and substituting therefor the following:

hereby vests in the Alien Property Custodian 7,352 shares of the common stock of Fuji Sake Brewing Company, Limited, registered in the names of the following persons:

Name	Name
Haruo Fujii	Jiro (Juro) Fujikawa
Junso Fujii	Mikie Fujikawa
Yoichi Fujii	Shigeo Oshima
Haruo Fujikawa	Tomoichi Oto
Hisao Fujikawa	Shiro Sayegusa
Junichi Fujii	Kiyozo Shintaku

hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and (.)

All other provisions of said Vesting Order Number 3696, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-11553; Filed, June 29, 1945;
11:03 a. m.]

[Vesting Order 4725]

FUJIMOTO TRADING CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Fujimoto Trading Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 1400 shares of \$50 par value capital stock, 700 shares (50%) are registered in the names of and are owned by the persons listed below in the number appearing opposite each name, and are evidence of control of said business enterprise:

Name:	Number of share
Isaku Fujimoto	240
Wasuke Motoshige	109
Hiroshi Motoshige	1
Motol Motoshige	350

2. That Isaku Fujimoto, Wasuke Motoshige, Hiroshi Motoshige and Motol Motoshige, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

3. That Wasuke Motoshige has a claim against Fujimoto Trading Company, Limited, which is represented on the books and records of Fujimoto Trading Company, Limited, as an account payable in the amount of \$1,738.58 as of June 30, 1944, subject to any accruals or deductions thereafter, and which represents an interest in Fujimoto Trading Company, Limited;

and determining:

4. That Fujimoto Trading Company, Limited, is controlled by Isaku Fujimoto, Wasuke Motoshige, Hiroshi Motoshige and Motol Motoshige, or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 700 shares of capital stock of Fujimoto Trading Company, Limited, more fully described in subparagraph 1 above, and the interest of Wasuke Motoshige in Fujimoto Trading Company, Limited, more fully described in subparagraph 3 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-11630; Filed, June 30, 1945;
10:34 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 746]

ABERDEEN AND WATERTOWN, S. DAK.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action, hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not

¹ Filed as part of the original document.

be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Hi-Speed Motor Express, Inc., Sioux City, Iowa.

Matt W. Hanten and Roy Wheaton, copartners, doing business as Western Transportation Co., Watertown, S. Dak.

[F. R. Doc. 45-11736; Filed, June 30, 1945; 2:45 p. m.]

[Supp. Order ODT 3, Rev. 747]

TEXAS

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14532; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority

¹ Filed as part of the original document.

of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Airline Freight Line, Inc., San Antonio, Tex.

Alamo Motor Lines, San Antonio, Tex.

Alma A. Basse, doing business as Basse Express, Fredericksburg, Tex.

F. A. Basse, doing business as Basse Truck Line, Del Rio, Tex.

J. V. Braswell, doing business as Braswell Motor Freight Lines, El Paso, Tex.

H. P. Brown and O. E. Latimer, copartners, doing business as Brown Express, San Antonio, Tex.

Wm. P. Thomson, doing business as Boerne Truck Line, Boerne, Tex.

Central Freight Lines, Inc., Waco, Tex.

English Freight Co., Dallas, Tex.
 Roy J. Gilbert, doing business as Gilbert Truck Line, Laredo, Tex.
 L. E. Hensley, doing business as Hensley Freight Lines, Marion, Tex.
 Charles Herder, Jr., doing business as Herder Truck Lines, Weimar, Tex.
 N. B. Luker and J. R. Luker, copartners, doing business as Luker Truck Line, Stockdale, Tex.
 O. W. Maxey, doing business as Maxey Freight Lines, San Antonio, Tex.
 J. L. Querner, doing business as J. L. Querner Truck Line, San Antonio, Tex.
 Red Arrow Freight Lines, Inc., Houston, Tex.
 J. H. Robinson Truck Lines, Inc., Corpus Christi, Tex.
 Southwestern Motor Transport, Inc., Uvalde, Tex.
 Sunset Motor Lines, San Angelo, Tex.
 O. W. Tondre, doing business as Tondre Freight Line, Hondo, Tex.
 Victory Truck Line, Inc., San Antonio, Tex.
 Yellow Transit Co., Oklahoma City, Okla.
 A. C. Willingham, doing business as Willingham Motor Lines, San Antonio, Tex.
 J. L. Walker, L. T. Hunt, Seymour Denike, copartners, doing business as Alamo Express, San Antonio, Tex.

[F. R. Doc. 45-11737; Filed, June 30, 1945; 2:45 p. m.]

[Supp. Order ODT 3, Rev. 748]

CHICAGO AND DE KALB, ILL.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body

or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,
 Director,
 Highway Transport Department,
 Office of Defense Transportation.

APPENDIX 1

Hayes Freight Lines, Inc., Mattoon, Ill.
 Corey & Evans, Inc., De Kalb, Ill.

[F. R. Doc. 45-11738; Filed, June 30, 1945; 2:43 p. m.]

[Supp. Order ODT 3, Rev. 749]

DENVER, COLO. AND RATON, N. MEX.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved,

¹ Filed as part of the original document.

the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,

Director,

Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

George C. Lebeck, doing business as Los Angeles-Albuquerque Express, Los Angeles, Calif.

Joe A. Harris, doing business as Harris Truck Line, Raton, N. Mex.

[F. R. Doc. 45-11739; Filed, June 30, 1945; 2:43 p. m.]

[Supp. Order ODT 3, Rev. 752]

NORTH CAROLINA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6639, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of

any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 6, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of July 1945.

GUY A. RICHARDSON,

Director,

Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

P. B. Beachum, doing business as Beachum's Transfer, Wadesboro, N. C.

S. H. Ratliff and L. S. Ratliff, copartners, doing business as Ratliff & Ratliff Motor Transportation, Wadesboro, N. C.

[F. R. Doc. 45-11740; Filed, June 30, 1945; 2:43 p. m.]

¹ Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 1342]

JOAQUIN JIMENEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joaquin Jimenez, 24 East 114th St., New York City, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona.....	5".....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given

in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11585; Filed, June 29, 1945;
11:55 a. m.]

[MPR 260, Order 1343]

SANTOS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Santos Cigar Factory, 1709 15th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Don Santos.....	Panetelas.....	50	Per M \$141	Cents 3 for 55
	Coronas.....	50	48	6
	Brevas.....	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in

March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11586; Filed, June 29, 1945;
11:55 a. m.]

[MPR 260, Order 1345]

PLYMOUTH CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Plymouth Cigar Co., 31 E. Mill St., Plymouth, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A Mild Smoke....	Especiales.....	50	Per M \$44	Cents 2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Pack-

ing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11587; Filed, June 29, 1945;
11:55 a. m.]

[MPR 260, Order 1358]

CARTEL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cartel Cigar Co., Ltd., 2806 21st Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

No. 131—9

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cartel	Blunts	50	\$75.00	10
	Brevas	50	169.00	22
	Victorias	50	97.50	13
	Londres Grande	50	138.00	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11588; Filed, June 29, 1945;
11:54 a. m.]

[MPR 260, Order 1359]

LA PALMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Palma Cigar Co., 2008 19th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Palma	Panela	50	\$40.00	5
	Aromaticos	50	138.00	18
	Palmas de Luxe	50	192.00	25
	Brevas	50	101.25	2 for 27
La Pedrina	Queens	50	154.00	20
	do	60	154.00	20
La Palma	Cazadores	50	123.00	16
	do	50	123.00	16
Pedrina	Nacionales	50	161.50	21
	do	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the

purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11589; Filed, June 29, 1945;
11:54 a. m.]

[MPR 260, Order 1360]

JOHN CORDOVA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) John Cordova, (Rear) 2012 Davis St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Troy.....	Cadets.....	50	Per M \$97.50	13 Cents
	Judy.....	50	60.00	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum

prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be), in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11590; Filed, June 29, 1945;
11:54 a. m.]

[RMPR 528, Order 45]

UNITED STATES RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for the following size and type of new tire manufactured by the United States Rubber Company, New York, New York, shall be:

Size	Type	Maximum retail price (each)
36 x 14....	U. S. solid truck tire.....	(\$196.00 (East), (\$207.05 (West);

"East" and "West" shall have the meaning given those terms in the manufacturer's price list for industrial tires in effect on February 1, 1944.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11584; Filed, June 29, 1945;
11:56 a. m.]

[MPR 260, Order 1344]

JUAN M. TOMAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Juan M. Tomas, 456 E. 175th St., New York 57, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tamina.....	5'.....	50	Per M \$90	12 Cents

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the

purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11605; Filed, June 29, 1945;
4:40 p. m.]

[MPR 260, Order 1346]

JACOBS CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jacobs Cigar Co., Rear Lancaster Ave., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dream Smoke...	Perfecto.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are es-

tablished by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11606; Filed, June 29, 1945;
4:40 p. m.]

[MPR 260, Order 1347]

SAMUEL E. BLUE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Samuel E. Blue Cigar Co., 61 N. Broadway, Peru, Ind. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Miss Peru.....	4 3/4".....	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change

therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11607; Filed, June 29, 1945;
4:41 p. m.]

[MPR 260, Order 1348]

GEORGE A. HILLESHEIM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) George A. Hillesheim, Freeburg, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Hillesheim.....	Hand Made....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11608; Filed, June 29, 1945; 4:41 p. m.]

[MPR 260, Order 1349]

JAMES E. GIPE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) James E. Gipe, 313 First Ave., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
John Nixon.....	Perfecto.....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11609; Filed, June 29, 1945; 4:42 p. m.]

[MPR 260, Order 1350]

CONSOLIDATED CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Consolidated Cigar Co., P. O. Box 4328, 2318 Union St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Fumador of Tampa.	Diplomatico...	50	Per M \$161.50	Cents 21
	Panetelas	50	131.00	17
	Royal	50	56.00	7
	Cadetes.....	50	60.00	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11610; Filed, June 29, 1945;
4:42 p. m.]

[MPR 260, Order 1351]

HENRIQUEZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Henriquez Cigar Co., 836 S. W. 4th Avenue, Miami 36, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Carmelo.....	Havana Specials.....	50	Per M \$48.00	Cents 6
	Perfecto.....	50	82.50	11
	Coronas.....	50	32.00	4
	Havana Coronas.....	50	131.00	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price,

Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11611; Filed, June 29, 1945;
4:42 p. m.]

[MPR 260, Order 1352]

PEDRO VALDES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Pedro Valdes, 2409 14th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Brevas.....	Aljiria Valdes.....	50	Per M \$105.00	Cents 14
Aljiria Valdes.....	Panetela.....	50	105.00	14
	Reinas.....	50	56.00	7
	Coronas.....	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11612; Filed, June 29, 1945;
4:43 p. m.]

[MPR 260, Order 1353]

MARY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Mary Cigar Factory, 3722 15th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mary	Corona A.	50	Per M \$93.75	Cents 2 for 25
	Panetela 1a.	50	169.00	22
	Londres			
	Grande	50	154.00	20
	McKays	50	75.00	10
	Panetela 2d.	50	169.00	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or

frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11613; Filed, June 29, 1945; 4:43 p. m.]

[MPR 260, Order 1354]

VICTOR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) V. C. Eckenrode, d/b/a Victor Cigar Co., 168 E. Cottage Pl., York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Super-Hiway	4 3/4"	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he

shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11614; Filed, June 29, 1945; 4:43 p. m.]

[MPR 260, Order 1355]

FLOR AROMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Flor Aroma Cigar Co., 2916 20th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flor Aroma	Panatel.	50	Per M \$130	Cents 3 for 50
	Coronas	50	60	2 for 15
	Brevas De Luxe	50	169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change

therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11615; Filed, June 29, 1945;
4:43 p. m.]

[MPR 260, Order 1356]

CELESTINO RICO CIGAR FACTORY
AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Celestino Rico Cigar Factory, 1748 Green St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
C. R.	Coronas Chica	50	Per M \$97.50	Cents 13
	Coronas	50	40.00	5
	Conchitas	50	60.00	2 for 15
	Panetelas	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11616; Filed, June 29, 1945;
4:44 p. m.]

[MPR 260, Order 1357]

D. MARTINEZ Y CA.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That: (a) D. Martinez y Ca., 1815 10 Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
O'Hallaran y Garcia.	Epicleures	50	Per M \$138.00	Cents 18
	Regalias	50	138.00	18
	Elegantes	50	108.75	2 for 29
	Brevas Chica	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11617; Filed, June 29, 1945;
4:44 p. m.]

[MPR 574, Amdt. 5 to Order 1]

LIVE BOVINE ANIMALS (CATTLE AND CALVES)

MAXIMUM PERCENTAGE OF CATTLE SLAUGHTERED WHICH MAY CONSIST OF GOOD AND CHOICE CATTLE

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 1 under Maximum Price Regulation No. 574 is amended in the following respects:

1. Paragraph (c) (2) is amended to read as follows:

(2) The following percentages shall constitute the maximum percentages applicable in each of the three accounting periods ending on or about July 31, 1945, August 31, 1945, and September 30, 1945, respectively.

Zone	Period ending on or about—		
	July 31, 1945	Aug. 31, 1945	Sept. 30, 1945
(i) Zone A.....	80	70	60
(ii) Zone B.....	85	75	65
(iii) Zone C.....	60	50	40

2. Paragraph (h) is amended to read as follows:

(h) *Exceptions from the provisions of the order.* The provisions of this order shall not apply (1) to any slaughterer at a slaughtering establishment whose slaughter of cattle in such establishment consists exclusively of 4-H or other club cattle as specified in section 1 (b) (2) of Maximum Price Regulation No. 574, or (2) to any governmental institution (slaughterer) where the carcasses or cuts derived from such slaughter are not to be resold in any form.

This amendment shall become effective July 1, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11604; Filed, June 29, 1945;
4:40 p. m.]

[MPR 122, Amdt. 26 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., AREA

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered, That Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respect:

1. In paragraph (e) the maximum prices for bagged coal are amended to read as follows:

(e) *Price Schedule III; bagged coal.* Price Schedule III sets forth maximum per bag prices for sales made at or to any point in the Washington, D. C., metropolitan area of coal in paper bags of 15 pounds each. These are prices for the nut size.

Kind	YARD SALES	Price
Pennsylvania anthracite.....		\$0.10½
Virginia anthracite.....		.07½
Bituminous coal.....		.07
"Direct delivery" sales to persons reselling bagged coal. The prices for direct delivery sales to persons reselling bagged coal shall be reduced by one cent, respectively when sales of the same bagged coals are made at the dealers' yard to persons reselling bagged coal.		
Pennsylvania anthracite.....		.14½
Virginia anthracite.....		.12
Bituminous coal.....		.11½
"Sales to consumers not made at a yard"		
Pennsylvania anthracite.....		.17½
Virginia anthracite.....		.15
Bituminous coal.....		.14½

This amendment to Order No. 47 shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11653; Filed, June 30, 1945;
11:36 a. m.]

[RMPR 136, Order 463]

NOVO ENGINE CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 463 under Revised Maximum Price Regulation 136. Machines Parts and Industrial Equipment. Novo Engine Company. Docket Nos. 6083-136.21-334 and SO-28-8660.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136: It is ordered:

(a) The maximum prices for sales of the CA-33, 1 cylinder and CW-33, 1 cylinder internal combustion engines by Novo Engine Company, Lansing, Michigan, shall be determined as follows:

The Novo Engine Company shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order, the following amount:

Item:	Amount to be added to maximum net price
CA-33, 1 cylinder.....	\$8.55
CW-33, 1 cylinder.....	18.50

(b) The maximum prices for sales of the CA-33, 1 cylinder and CW-33, 1 cylinder internal combustion engines by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Novo Engine Company shall notify each person who buys the CA-33, 1 cylinder and CW-33, 1 cylinder internal combustion engines for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11654; Filed, June 30, 1945;
11:37 a. m.]

[RMPR 169, Order 80]

FEILER-LEE MEAT PRODUCTS

ESTABLISHMENT OF MAXIMUM PRICES

On June 1, 1945, Feiler-Lee Meat Products, 2433½ Brooklyn Avenue, Los Angeles, California, filed an application for the determination of a maximum selling price for its "Blue Ribbon Brand Steaks."

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinions, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169, It is hereby ordered:

(a) That the maximum selling price for "Blue Ribbon Brand Steaks" produced and sold by Feiler-Lee Meat Products, Los Angeles, California, shall be 40 cents per pound, f. o. b. the seller's place of business. Feiler-Lee Meat Products is permitted to sell this item to purveyors of meals (defined in § 1364.455 (b) (2) of Revised Maximum Price Regulation No. 169) and to intermediate distributors for resale to purveyors of meals. The authorized maximum selling price for the specialty steak product sold under the brand name of "Blue Ribbon Brand Steaks" is applicable only where the meat item is manufactured in accordance with the method described in the application of Feiler-Lee Meat

Products, requesting such maximum price.

(b) Feiler-Lee Meat Products shall not sell or deliver to purveyors of meals and/or to intermediate distributors for resale to purveyors of meals during any three month period beginning October 1, January 1, April 1 and July 1 a total volume by weight of "Blue Ribbon Brand Steaks" in excess of 45,000 pounds.

(c) Feiler-Lee Meat Products shall supply each purveyor of meals upon his initial purchase of "Blue Ribbon Brand Steaks" with a written notice in the following form:

NOTICE TO PURVEYORS OF MEALS

The Office of Price Administration has, by order authorized Feiler-Lee Meat Products to sell "Blue Ribbon Brand Steaks" to purveyors of meals for not more than 40 cents per pound f. o. b. our place of business at Los Angeles, California.

(d) The maximum price for sales of "Blue Ribbon Brand Steaks" by any intermediate distributor shall be 40 cents per pound f. o. b. the seller's place of business.

(e) Feiler-Lee Meat Products shall supply each such intermediate distributor (any person who purchases from Feiler-Lee Meat Products for resale purposes) upon his initial purchase of "Blue Ribbon Brand Steaks" with a written notice in the following form:

NOTICE TO DISTRIBUTORS OF "BLUE RIBBON BRAND STEAKS"

The Office of Price Administration has, by order authorized Feiler-Lee Meat Products to sell "Blue Ribbon Brand Steaks" for not more than 40 cents per pound to purveyors of meals and to intermediate distributors who purchase this item for resale to purveyors of meals. Feiler-Lee Meat Products is permitted to sell this item to you at a discount but you must resell it to purveyors of meals and you must observe the same maximum price permitted Feiler-Lee Meat Products, i. e., 40 cents per pound f. o. b. your place of business. You are furthermore required to advise each purveyor of meals making his initial purchase of "Blue Ribbon Brand Steaks" of the maximum price established for sales of this product.

(f) Not later than the tenth day following each three month quota period ending December 31, March 31, June 30 and September 30, Feiler-Lee Meat Products shall submit a statement to the Office of Price Administration at Washington, D. C. showing the total volume of "Blue Ribbon Brand Steaks" sold to purveyors of meals and to intermediate distributors, separately itemized, for each such three month period, setting forth the name and address of each such distributor. In the event that such statement is not filed on or before the date specified, this order shall be subject to revocation. After the 10th day following any such three month quota period Feiler-Lee Meat Products shall not sell or deliver "Blue Ribbon Brand Steaks" until such statement has been submitted to the Office of Price Administration at Washington, D. C.

(g) All prayers of the application not granted herein are denied.

(h) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

No. 131—10

This Order No. 80 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11655; Filed, June 30, 1945;
11:37 a. m.]

[MPR 188, Order 99 Under Order A-2]

HALSAM PRODUCTS CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Halsam Products Co., Inc., of 4114 Ravenswood Avenue, Chicago 13, Illinois, may sell and deliver the articles listed below, which it manufactures and which are fully described in its application dated April 11, 1945, at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus the appropriate one of the following adjustment charges:

Article	Manufacturer's 1942 Catalogue No.	Number of pieces to set	Adjustment charge
			Per gross set
Alphabet blocks.....	2006	6	\$2.09
	2008	8	2.12
	2010	10	2.50
	2015	15	3.97
	2018	18	5.23
	2020	20	6.84
	2030	30	7.56
	2036	36	8.65
	2040	40	6.66
Hi-Lo blocks (with grooves) ..	2206	6	2.09
	2208	8	2.12
	2210	10	2.50
	2215	15	3.97
	2218	18	5.23
	2220	20	6.84
	2230	30	7.56
	2236	36	8.65
	2240	40	6.66
Picture blocks.....	2406	6	2.09
	2408	8	2.12
	2410	10	2.50
	2415	15	3.97
	2418	18	5.23
	2420	20	6.84
	2430	30	7.56
	2436	36	8.65
	2440	40	6.66
Character blocks.....	2706	6	2.09
	2708	8	2.12
	2710	10	2.50
	2715	15	3.97
	2718	18	5.23
	2720	20	6.84
	2730	30	7.56
	2736	36	8.65
	2740	40	6.66
Dominoes (double six).....	611	28	3.05
	611A	28	3.05
	611H	28	3.05
	611K	28	3.05
	611W	28	3.05
	622	28	3.05
	920	55	5.12
Dominoes (double nine).....			
Checkers (comet and No. 1 bead).....	578/24	24	1.49
Checkers (comet and No. 1 bead).....	518	30	3.00
Bulk checkers.....			Per thousand .46

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if separately stated on each invoice.

The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11657; Filed, June 30, 1945;
11:37 a. m.]

[MPR 188, Order 100 Under Order A-2]

THE BROMWELL WIRE GOODS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Bromwell Wire Goods Co. of 312 United Bank Building, Cincinnati 2, Ohio, may sell and deliver the articles set forth below, which it manufactures and which are described in its application dated February 9, 1945, at prices no higher than its maximum prices currently in effect immediately prior to the effective date of this order, plus the appropriate one of the following adjustment charges:

Article, model, and adjustment charge

	Per gross
Flour sifter; 100-----	\$1.97
Flour sifter; Rex-----	.81

The adjustment charges provided for herein may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a), in the course of distribution from the manufacturer to the ultimate user, except persons making sales directly to ultimate users, may add to his presently established maximum price for sales of the article, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, providing the amount of such adjustment charge has been separately stated.

The maximum prices as adjusted of purchasers for resale are subject to each seller's customary terms, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery to a purchaser for resale at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 100 under Order No. A-2 under Maximum Price Regulation No. 188 authorizes all sellers of the articles covered by this invoice, except persons making sales to ultimate users to adjust their maximum prices in effect prior to July 2, 1945, by adding no more than the dollar-and-cents amount of the adjustment charge appearing on this invoice, providing that amount is separately stated on an invoice containing this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11669; Filed, June 30, 1945;
11:41 a. m.]

[MPR 188, Rev. Order 3679]

WALD MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Wald Manufacturing Company, 1200 South La Cienega Boulevard, Los Angeles 35, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	No.	Maximum prices for sales by all persons to—		
		Whole-salers	Re-tailers	Con-sumers
Cigarette lighter.....	101	Each \$1.80	Each \$2.40	Each \$4.00

These maximum prices are for the article described in the manufacturer's application dated June 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this Revised Order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$4.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11656; Filed, June 30, 1945;
11:37 a. m.]

[MPR 188, Order 4025]

NEW ROCHELLE METAL CRAFT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by New Rochelle Metal Craft, 45 Harrison, New Rochelle, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Whole-salers	Re-tailers	Con-sumers
Cigarette lighter.....	None	Each \$0.70	Each \$0.93	Each \$1.55

These maximum prices are for the articles described in the manufacturer's application dated May 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.55 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11670; Filed, June 30, 1945;
11:41 a. m.]

[MPR 188, Order 4026]

LOUIS F. DOW CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Louis F. Dow Company, 2242 University Avenue, St. Paul 4, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter.....	20	Each \$0.77	Each \$1.03	Each \$2.75

These maximum prices are for the articles described in the manufacturer's application dated April 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.153 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$2.75 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of July 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11671; Filed, June 30, 1945;
11:42 a. m.]

[MPR 220, Order 111]

AVIATRIX CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1557 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of item #900 Aviatix All American Vinyl Plastic Bathing Cap and item #950 Aviatix All American Opaque Plastic Shower Cap, which are manufactured by the Aviatix Company, 168 West 23rd Street, New York 11, New York.

(b) *Sales by the manufacturer.* The maximum net prices for sales by the Aviatix Company, 168 West 23rd Street, New York 11, New York, of the commodities described in paragraph (a) of this order shall be:

ITEM NUMBER 900

\$46.28 per gross for sales to wholesalers.
\$48.95 per gross for sales to chains.
\$53.40 per gross for sales to retailers.

ITEM NUMBER 950

\$39.52 per gross for sales to wholesalers.
\$41.80 per gross for sales to chains.
\$45.60 per gross for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodities described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodities described in paragraph (a) of this order shall be the maximum prices for such sales furnished the retailer by his

seller and computed according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodities priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation No. 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodities priced by this order.

(f) Between sixty and seventy-five days after the effective date of this order, the manufacturer shall recompute its costs based on actual production experience at that time in the manner provided in § 1315.1557 (c) and report them to the Office of Price Administration.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11658; Filed, June 30, 1945;
11:39 a. m.]

[MPR 220, Order 112]

PARKER, STEARNS & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to the manufacturer's, wholesalers' and retailers' sales of the plastic vinylite bathing cap made of .006 gauge plastic vinylite sheeting and manufactured by Parker, Stearns & Company, Inc., 288-300 Sheffield Avenue, Brooklyn, New York.

(b) *Sales by the manufacturer.* The maximum price for sales by Parker, Stearns & Company, Inc., of the commodity described in paragraph (a) of this order shall be:

\$3.40 per dozen for sales to wholesalers.
\$3.92 per dozen for sales to retailers.

(c) *Sales by wholesalers.* The maximum prices for sales at wholesale of the commodity described in paragraph (a) of this order shall be the maximum price for such sales furnished the wholesaler by the manufacturer and computed by the manufacturer according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(d) *Sales at retail.* The maximum prices for sales at retail of the commodity described in paragraph (a) shall be the maximum prices for such sales furnished the retailer by his seller and computed

according to the pricing method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220.

(e) *Notification of maximum prices by the manufacturer and wholesalers.* The manufacturer shall compute the maximum prices applicable to sales by wholesalers and retailers of the commodity priced by this order according to the method and percentages set forth in § 1315.1559a of Maximum Price Regulation 220. The notification of maximum price provisions and other provisions of § 1315.1559a are applicable to the commodity priced by this order.

(f) *Report of recomputed costs.* Between 60 and 75 days after the effective date of this order, the manufacturer shall recompute its costs and report them to the Office of Price Administration. The costs shall be computed in the manner provided in § 1315.1557 (a) except that the actual number of labor hours, March 1942 labor rates, actual quantities of materials, and March 1942 materials prices, shall be used in the recomputations.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11659; Filed, June 30, 1945;
11:39 a. m.]

[MPR 220, Order 113]

B. B. CHEMICAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to all sales to industrial users and to all sales to wholesalers of the item S2684 Bestik cement manufactured by the B. B. Chemical Company of Cambridge, Massachusetts:

(b) *Sales to industrial users.* The maximum net prices for all sales to industrial users of the commodity described in paragraph (a) of this order shall be:

\$2.75 per gallon—one-gallon can—East of the Rocky Mountains.

\$2.23 per gallon—five-gallon drum—East of the Rocky Mountains.

\$1.95 per gallon—fifty-gallon drum—East of the Rocky Mountains.

\$3.136 per gallon—one-gallon can—West of the Rocky Mountains.

\$2.60 per gallon—five-gallon drum—West of the Rocky Mountains.

\$2.25 per gallon—fifty-gallon drum—West of the Rocky Mountains.

Freight allowances shall be as follows: Freight prepaid and allowed up to \$1.00 per 100 pounds East of the Rocky Mountains, and \$4.00 per 100 pounds West of the Rocky Mountains.

(c) *Sales to wholesalers.* Maximum net prices for all sales of the commodity

described in paragraph (a) of this order to wholesalers, shall be:

\$2.052 per gallon—one-gallon can—East of the Rocky Mountains.

\$1.784 per gallon—five-gallon drum—East of the Rocky Mountains.

\$1.698 per gallon—fifty-gallon drum—East of the Rocky Mountains.

\$2.352 per gallon—one-gallon can—West of the Rocky Mountains.

\$2.084 per gallon—five-gallon drum—West of the Rocky Mountains.

\$1.938 per gallon—fifty-gallon drum—West of the Rocky Mountains.

Freight allowances shall be as follows: Freight prepaid and allowed up to \$1.00 per 100 pounds East of the Rocky Mountains, and \$4.00 per 100 pounds West of the Rocky Mountains.

(d) *Notification of maximum prices.* With or prior to the first sale to a wholesaler of the commodity priced by this order, the seller shall notify each wholesaler of the maximum prices applicable to the wholesaler's sales to industrial users, as established by paragraph (b) of this order.

(e) Between sixty and seventy-five days after the effective date of this order, the manufacturer shall recompute his costs in the manner provided in § 1315.1557 (c) of Maximum Price Regulation 220 and report them to the Office of Price Administration.

(f) All provisions of Maximum Price Regulation 220 not inconsistent with this order shall apply to the manufacturer's sales of the commodity priced by this order. All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to wholesalers' sales to industrial users of the commodity priced by this order.

(g) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11668; Filed, June 30, 1945;
11:42 a. m.]

[MPR 473, Order 146]

FABRICO PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation No. 473, it is ordered:

(a) The maximum prices for sales of the following coated fabrics converted by the Fabrico Products, 124 Washington Street, Haverhill, Massachusetts, shall be as follows:

Per linear yard
36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by embossing to simulate leather effects..... \$1.00

36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by embossing and topping to simulate leather effects..... 1.19

Per linear yard

36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by spraying to change base color and embossing to simulate leather effects..... \$1.23

36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finished by spraying to change base color and embossing and topping to simulate leather effects..... 1.41½

36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and further leather finishing and topping and stenciling to simulate leather effects..... 1.41½

36/40" 44 x 24 1.90 osnaburg, dyed with 8 oz. dry weight of pyroxylin coating and two-tone finish and embossed by the coater..... 1.12½

(b) With or prior to the first delivery of fabrics covered by this order, to any person other than a manufacturer the seller shall notify such person in writing of the specific maximum price applicable to his resale of these coated fabrics which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation No. 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11667; Filed, June 30, 1945;
11:41 a. m.]

[Order 107 Under 18 (c)]

SEWERAGE COMMISSION OF MILWAUKEE, WIS.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under authority vested in the Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation; It is hereby ordered:

(a) That the maximum prices that may be charged by the Sewerage Commission of the City of Milwaukee for Milorganite, sold as packaged Specialty fertilizer or Victory Garden fertilizer may be increased 10 per cent, subject to the quantity, cash or delivery differentials and other terms of sale now applicable on this product.

(b) Maximum prices of sellers at wholesale or retail of Milorganite, for which an increase in price has been granted under subparagraph (a) above, shall be their previously established maximum prices for such sales, adjusted to reflect the actual difference in net cost between their original cost of such product and their cost of such product after giving effect to such increase. Such sellers must also allow such quantity, cash or delivery differentials and other such terms of sale as are now applicable on this product.

(c) Order No. L-15 under § 1499.18 (c) of the General Maximum Price Regulation is revoked as of July 1, 1945.

This order shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11781; Filed, June 30, 1945;
4:02 p. m.]

[Gen. R. O. 8, Cancellation Order 1]

WENTWORTH BUS LINES, INC.

CANCELLATION OF RATIONING RIGHTS

Whereas by directive issued June 2, 1945 (10 F.R. 6840) the Director of the Office of Economic Stabilization directed the Office of Defense Transportation and the Office of Price Administration, within thirty days from June 9, 1945, to deny Wentworth Bus Lines, Inc., of Dover, New Hampshire, (hereinafter called the Company) its successors and assigns, all applications for priority assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company;

Whereas the Office of Defense Transportation has, by order dated June 26, 1945, cancelled the certificate of war necessity previously issued by it to the company;

Whereas materials which are rationed by the Office of Price Administration are materials in scarce supply; and

Whereas the Administrator of the Office of Price Administration, by section 2.22 of General Ration Order 8, has ordered and authorized me to carry out the directions contained in any such Directive from the Office of Economic Stabilization.

Now, therefore, it is hereby ordered:

SECTION 1. No ration, allotment, provisional allowance, inventory, or other right to acquire or use any rationed commodity shall be issued by the Office of Price Administration to the company or to its successors or assigns after July 9, 1945 (except as may be hereinafter otherwise provided). Nor shall the company receive or use after that date any rationed commodity or any such ration, allotment, provisional allowance, inventory or other such right.

SEC. 2. Every ration, allotment, provisional allowance, inventory or other right, held by the company at 12:01 a. m. July 10, 1945, to acquire or use a rationed commodity is hereby cancelled and rescinded as of that time, except for the purpose of paying, on or before July 15, 1945, all lawfully incurred ration debts of the company. The company shall, on or before July 15, 1945, surrender to the OPA District Office at Concord, New Hampshire (hereinafter called the District Office) all ration evidences in its possession. It shall also on or before that date draw a ration check for the balance in each of its ration bank accounts, if any, payable to the OPA and deliver such check to the District Office,

which shall take appropriate action to close each such account.

SEC. 3. Any commodities rationed by OPA remaining in the possession of the company on July 10, 1945, may be disposed of by the company in the manner permitted by the respective orders applicable thereto or as the District Office shall authorize.

SEC. 4. The company shall make to the District Office all reports which it would be required to make to the OPA if it had voluntarily ceased to acquire or use rationed commodities, except as any part of, or attachment to, any such report shall be rendered impossible by compliance with this order.

SEC. 5. All ration documents and records required to be kept by the company pursuant to any ration order shall be kept by it, subject to inspection as provided in such order, until further order of OPA.

SEC. 6. Nothing in this order shall release or extinguish any penalty or liability incurred under any ration order, and such order shall remain in force with respect to the company.

This order shall become effective July 9, 1945.

Issued this 30th day of June 1945.

MAX McCULLOUGH,
Deputy Administrator for Rationing.

[F. R. Doc. 45-11780; Filed, June 30, 1945;
4:02 p. m.]

[MPR 188, Order 3976]

CASCO PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-10643, which appeared on page 7366 of the issue for Tuesday, June 19, 1945, the model numbers for the articles listed in the table in paragraph (a) (1) should read 1230 X, 1211 X and 1204 X, respectively.

[MPR 220, Amdt. 1 to Order 105]

M. L. HARVEY Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons given in an opinion issued simultaneously with this amendment and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

Paragraph (b) of Order No. 105 under Maximum Price Regulation 220 is amended to read as follows:

(b) *Sales by the manufacturer.* The maximum prices for sales by the M. L. Harvey Company, 10 East 23d Street, New York, New York, of the commodities described in paragraph (a) of this order shall be as follows:

Baby pants made of 6 gauge vinyl resin film:
\$4.25 per dozen for sales to wholesalers.
\$5.25 per dozen for sales to retailers.
Bathing caps made of 6 gauge vinyl resin film:
\$4.10 per dozen for sales to wholesalers.
\$4.75 per dozen for sales to retailers.

This amendment shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11743; Filed, June 30, 1945;
3:07 p. m.]

[MPR 188, Order 2 Under Rev. Order 2525]

HARDMAN PECK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (d) of Revised Order 2525 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices for all sales except at retail.* The Hardman Peck Company, 33 West 57 Street, New York, N. Y., herein called the manufacturer may increase its maximum prices for sales of new pianos of its manufacture, in effect prior to October 7, 1944, to each class of purchaser, for all sales except sales at retail as follows:

(1) Subtract the Federal excise tax and any amount for freight which is included in the price.

(2) To this figure add 18.87% thereof.

(3) The result is the new maximum price to each class of purchaser. The Federal excise tax payable on that maximum price and any freight deducted may be added.

(b) *Maximum prices for sales at retail.* Maximum prices for sales at retail shall be computed by the manufacturer as provided in paragraph (e) of Revised Order 2525, using as his highest maximum price for purposes of this computation, his maximum price prior to October 7, 1944 increased by no more than the 13% permitted by paragraph (b) or (c) of that order.

(c) *Applicability of provisions of Revised Order 2525.* The following paragraphs of Revised Order 2525 are specifically applicable to the pianos for which adjusted maximum prices are established by this order:

(e) *Manufacturers' maximum prices for any or changed models.*

(f) *Tagging.*

(k) *Adjustment, corrections and revocation of maximum prices.*

(i) *Credit charges.*

(j) *Definitions.*

(k) *Relationship between this order, the General Maximum Price Regulation and Maximum Price Regulation No. 188.*

This order shall become effective on the 30th day of June 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11742; Filed, June 30, 1945;
3:07 p. m.]

[RMPR 148, Amdt. 1 to Order 51]

COLORADO

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO DRESSED HOGS AND WHOLESALE PORK CUTS

The designation clause contained in the second paragraph of Order No. 51 under Revised Maximum Price Regulation No. 148 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11660; Filed, June 30, 1945;
11:39 a. m.]

[RMPR 169, Amdt. 1 to Order 60]

TENNESSEE

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

The designation clause contained in the second paragraph of Order No. 60 under Revised Maximum Price Regulation No. 169 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11661; Filed, June 30, 1945;
11:39 a. m.]

[RMPR 169, Amdt. 1 to Order 61]

COLORADO

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

The designation clause contained in the second paragraph of Order No. 61 under Revised Maximum Price Regulation No. 169 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11662; Filed, June 30, 1945;
11:40 a. m.]

[RMPR 239, Amdt. 1 to Order 8]

COLORADO

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

The designation clause contained in the second paragraph of Order No. 8 under Revised Maximum Price Regulation No. 239 is hereby deleted.

This Amendment 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11663; Filed, June 30, 1945;
11:40 a. m.]

[MPR 336, Amdt. 1 to Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

The designation clause contained in the second paragraph of Order No. 1 under Maximum Price Regulation No. 336 is hereby deleted.

This Amendment No. 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11665; Filed, June 30, 1945;
11:40 a. m.]

[MPR 355, Amdt. 1 to Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION AS DEFICIENCY AREA WITH RESPECT TO BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

The designation clause contained in the second paragraph of Order No. 1 under Maximum Price Regulation No. 355 is hereby deleted.

This Amendment No. 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11664; Filed, June 30, 1945;
11:40 a. m.]

[MPR 394, Amdt. 1 to Order 1]

BREMERTON AND PUGET SOUND NAVY YARD, WASH.

DESIGNATION OF DEFICIENCY AREA WITH RESPECT TO KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

The designation clause contained in the second paragraph of Order No. 1 under Maximum Price Regulation No. 394 is hereby deleted.

This Amendment No. 1 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11666; Filed, June 30, 1945;
11:40 a. m.]

[RMPR 394, Order 2]

SULLIVAN COUNTY, N. Y.

DESIGNATION OF DEFICIENCY AREAS WITH RESPECT TO KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (b) (7) of Maximum Price Regulation No. 394, I find that (i) there exists in the County of Sullivan in the State of New York, total quotas which are substantially below an

amount representing current seasonal demands for kosher meats by purveyors of kosher meals located in such area, and (ii) such purveyors of kosher meals are supplied almost exclusively by kosher retail selling establishments or stores located in the same area, and (iii) the condition described in subdivision (i) above is caused by the fact that the kosher retail selling establishments or stores are limited in their sales to purveyors of kosher meals located in the same area to 20% of their total dollar volume of meats sold during any current month.

The County of Sullivan in the State of New York is hereby designated as a deficiency area and the District Director of the Office of Price Administration for the County of Sullivan in the State of New York is hereby authorized to permit any kosher retail selling establishment or store customarily serving such area, which establishment or store is not a hotel supply house or which does not slaughter more than 20 cattle or calves per month, to sell kosher retail meat cuts at the prices specified in section 24 of Maximum Price Regulation No. 394, in whatever volume and subject to such terms and conditions as he may deem necessary, *Provided*, That in no event may such kosher retail selling establishment or store be authorized to sell kosher retail meat cuts to kosher eating places in excess of 70% of its total monthly dollar volume of meat sales.

This order may be revoked or amended at any time.

This order shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11758; Filed, June 30, 1945;
3:12 p. m.]

[FPR 1, Order 26 Under Supp. 7]

PACKED FRUIT, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

(a) Processors whose factories are located in Texas and Louisiana who packed diced carrots at the request of the War Food Administration or other government agency for the purpose of filling government procurement orders are authorized to charge and collect from the Army Quartermaster Corps, in addition to the maximum prices otherwise established for such sales, amounts sufficient to compensate for actual freight and icing charges incurred in the shipment of raw carrots from the Rio Grande Valley to processors' factories.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11763; Filed, June 30, 1945;
3:13 p. m.]

[MPR 61, Order 6]

**CERTAIN MILITARY ANGLE TAPS
ADJUSTMENT OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 4 of Maximum Price Regulation 61, *It is ordered:*

(a) On and after July 3, 1945, the maximum price, f. o. b. seller's shipping point, at which any producer may sell or deliver the taps described below shall be:

WAC ANGLE TAPS

Meeting the specifications of the Boston Quarter-master Depot.
Weight 7 to 9½ iron after sanding.

Size	Length	Dimensions in inches		Price in cents (per pair)
		Toe end	Butt end	
Large.....	6¼	3¼	5	31
Medium.....	6¼	3¼	4¾	29
Small.....	6¼	3	4½	27

(b) The maximum prices specified in paragraph (a) above for the sale of leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

(c) Terms of sale shall be cash less 1% discount for payment within 30 days, net cash thereafter.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 6 shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11834; Filed, July 2, 1945; 11:40 a. m.]

Regional and District Office Orders.

[Jacksonville Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN JACKSONVILLE, FLA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jacksonville District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. Purpose of order. Order No. G-1 under General Order No. 50, issued by the District Director of the Jacksonville District Office of the Office of Price Administration on the 22d day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order

No. G-1 under General Order No. 50 is redesignated Revised Order No. G-1 under General Order No. 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premise sales, and is for the further purpose of clarifying and strengthening the order. Maximum prices for off-premise sales of domestic malt beverages are controlled by Revised Maximum Price Regulation 259.

SEC. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Florida:

Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Citrus, Clay, Columbia, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Okaloosa, Orange, Putnam, St. Johns, Santa Rosa, Seminole, Sumter, Suwannee, Taylor, Volusia, Union, Wakulla, Walton, and Washington in the State of Florida.

SEC. 3. Ceiling prices. (a) On and after July 1, 1945, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Jacksonville District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Jacksonville District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. How to figure your ceiling prices. (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that

your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof.

You must figure the group to which you belong as follows: (1) **Group 1-B.** Your establishment belongs to Group 1-B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1-B establishments.

(2) **Group 2-B.** Your establishment belongs to Group 2-B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2-B establishments, but were less than those provided in Appendix A for Group 1-B establishments.

(3) **Group 3-B.** Your establishment belongs to Group 3-B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2-B establishments. All establishments not in operation during the base period of April 4-10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3-B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1-B or Group 2-B, you may, but not later than the first day of August 1945, file an application with the Jacksonville District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs.

Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3-B seller, and must observe the ceiling prices as provided for that group in the appendices hereof.

All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3-B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1-B or Group 2-B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Jacksonville District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3-B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

Sec. 5. Filing with War Price and Rationing Board. (a) When you have figured your proper group under section 4 above, you must, on or before Aug. 1, 1945, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3-B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3-B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

Sec. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices

provided in this order for that group, the Office of Price Administration District Director for the district in which your establishment is located may direct you to charge lower ceiling prices.

(a) If, on the basis of your April 4-10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

Sec. 7. Exempt sales. The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing

board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

Sec. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

Sec. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

Sec. 10. Posting of prices. (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3-B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

Sec. 11. Posting of group number. (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1-B", "OPA 2-B", or "OPA 3-B", whichever is applicable. You may use the card or cards furnished for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

Sec. 12 Receipts and sales slips. Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

Sec. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

Sec. 14. Enforcement. If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble

damages and proceedings for suspensions of licenses provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 15. Licensing. The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

Sec. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

Sec. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of $\frac{1}{8}$ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." includes the service of beer for a consideration with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller or in the immediate vicinity thereof, and include curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the Gen-

eral Maximum Price Regulation, shall apply to the other terms used herein.

Sec. 18. Transfers of business or stock in trade. If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

Sec. 19. Changes in location. If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

Sec. 20. Petitions for amendment. Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Jacksonville District Office.

Sec. 21. Revocation and amendment. This order may be revoked, amended, or corrected at any time.

Sec. 22. Effective date. This revised order under General Order 50 shall become effective July 1, 1945. (Order No. G-1 under General Order 50 was originally issued on June 22, 1944, effective July 1, 1944; amendment number 1 to Order No. G-1 under GO 50 was issued July 25, 1944, effective July 29, 1944; amendment number 2 to Order No. G-1 under GO 50 was issued October 1, 1944, effective October 5, 1944; amendment No. 3 to Order No. G-1 under GO 50 was issued November 25, 1944, effective December 1, 1944.)

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4803)

Issued at Jacksonville, Florida, this 15th day of June 1945.

ROY M. COFFEY,
District Director.

may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2½¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz. glass, 1½¢ per glass.
8-oz. glass, 1⅞¢ per glass.
10-oz. glass, 1⅞¢ per glass.
12-oz. glass, 1⅞¢ per glass.
All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in above prices.

Note: This Appendix B fixes maximum prices for Group 2-B sellers on certain so-called "intermediate priced" beers and ales. A Seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of the prices given for other brands covered by Appendix A.

APPENDIX B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Bay State	\$.18	\$.40
Beverly	.18	.40
Bohemian Premium	.18	.40
Burger Brand	.18	.40
Crown	.18	.40
Doerschuck	.18	.40
Dr. Premier	.18	.40
Elms Select	.18	.40
Elmer's Extra	.18	.40
Fell's Extra	.18	.40
Gerhard Lang	.18	.40
Hi-Brain	.18	.40
Lion	.18	.40
New England	.18	.40
Oxford	.18	.40
Pilsener	.18	.40
Pilsner	.18	.40
Pioneer Victory	.18	.40
Rheingold	.18	.40
Schmidt	.18	.40
Silver Fox DeLuxe	.18	.40
Bottled ale:		
Bay State	.18	.40
Irish Cream	.18	.40
New England	.18	.40
Oxford	.18	.40
Spearman	.18	.40

Sellers who are required to pay a federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

"Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax

All other taxes are included in above prices.

GROUP 2-B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Ballantine	\$.17	\$.37
Barbarossa	.17	.37
Blatz Pilsner	.17	.37
Budweiser	.17	.37
Canadian Ale	.17	.37
Down's Art and Art	.17	.37
Embassy Club	.17	.37
Gold Coast	.17	.37
Miller's Hi-Life	.17	.37
Pabst Blue Ribbon	.17	.37
Schultz	.17	.37
Van Merritt	.17	.37
Carta Blanca	.20	.45
Bay State	.25	.50
Bohemian Premium	.17	.37
Burger Brand	.17	.37
Crown	.17	.37
Doerschuck	.17	.37
Elms Select	.17	.37
Elmer's Extra	.17	.37
Fell's Extra	.17	.37
Gerhard Lang	.17	.37
Hi-Brain	.17	.37
Lion	.17	.37
New England	.17	.37
Oxford	.17	.37
D. R. Premier	.17	.37
Pilsner	.17	.37
Pioneer Victory	.17	.37
Rheingold	.17	.37
Schmidt	.17	.37
Silver Fox	.17	.37
Bottled ale:		
Ballantine	.17	.37
Buckingham Porter	.17	.37
Carling's Red Cap	.17	.37
Champ Ale	.20	.45
Ballantines India Pale	.20	.45
Bay State	.17	.37
Irish Cream	.17	.37
New England	.17	.37
Oxford	.17	.37
Spearman	.17	.37
All other brands of bottled beer and ale not listed above, including unlabeled beer and ale	.12	.30

All unlabeled beer and ale, in bottles containing less than 12 ounces, 10¢

Draught Beer and Ale

Size and containers:	Maximum prices
6-oz. glass	\$.09
8-oz. glass	.10
10-oz. glass	.11
12-oz. glass	.12
All other quantities 1¢ per ounce.	

Sellers who are required to pay a federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax

GROUP 2-B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Ballantine	\$.20	\$.42
Barbarossa	.20	.42
Blatz Pilsner	.20	.42
Budweiser	.20	.42
Canadian Ale	.20	.42
Down's Art and Art	.20	.42
Embassy Club	.20	.42
Gold Coast	.20	.42
Miller's Hi-Life	.20	.42
Pabst Blue Ribbon	.20	.42
Schultz	.25	.50
Van Merritt	.30	.50
Carta Blanca	.20	.42
Ballantine	.20	.42
Buckingham Porter	.20	.42
Carling's Red Cap	.20	.42
Ballantines India Pale	.25	.50
Champ Ale	.25	.50
All other brands of Ale not listed above and not listed in Appendix "B" heretofore, including unlabeled beer and ale	.15	.35

All unlabeled beer and ale, in bottles containing less than 12 ounces not listed above and not listed in Appendix "B" heretofore, 10¢.

Draught Beer and Ale

Size and containers:	Maximum price
6-oz. glass	\$.09
8-oz. glass	.10
10-oz. glass	.11
12-oz. glass	.12
All other quantities 1¢ per ounce.	

Sellers who are required to pay a Federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2½¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draught Beer and Ale

6-oz. glass, 1½¢ per glass.
8-oz. glass, 1⅞¢ per glass.
10-oz. glass, 1⅞¢ per glass.
12-oz. glass, 1⅞¢ per glass.
All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

APPENDIX A

GROUP 1-B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Bottled beer:		
Ballantine	\$.25	\$.50
Blatz Pilsner	.25	.50
Budweiser	.25	.50
Barbarossa	.25	.50
Canadian Ale	.25	.50
Down's Art and Art	.25	.50
Embassy Club	.25	.50
Gold Coast	.25	.50
Miller's Hi-Life	.25	.50
Pabst Blue Ribbon	.25	.50
Schultz	.25	.50
Van Merritt	.30	.55
Carta Blanca	.35	.65
Bottled ale:		
Ballantine	.25	.50
Buckingham Porter	.25	.50
Carling's Red Cap	.25	.50
Ballantines India Pale	.25	.50
Champ Ale	.30	.55
All other brands of bottled beer and ale not listed above, including unlabeled beer and ale	.20	.40

All Unlabeled Beer and Ale in Bottles Containing Less than 12 Ounces, 10 cents.

Draft beer and ale

Size of container:	Maximum-price (Cents)
6 oz. glass	9
8 oz. glass	10
10 oz. glass	13
12 oz. glass	15
All other quantities—1¼¢ per ounce.	

Sellers who are required to pay a federal excise tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945, increase in the Florida beverage tax may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2½¢ per bottle.
32-oz. bottles, 4¼¢ per bottle.
Bottles containing less than 12 ozs., 17¢ per gallon prorated to the amount in the bottles.

Draught Beer and Ale

6-oz. glass, 1½¢ per glass.
8-oz. glass, 1⅞¢ per glass.
10-oz. glass, 1⅞¢ per glass.
12-oz. glass, 1⅞¢ per glass.
All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction may be reduced to the next lower cent.

All other taxes are included in above prices.

may add to above prices the following charges if same are separately stated and collected:

Bottled Beer and Ale

12-oz. bottles, 2½¢ per bottle.

32-oz. bottles 4¼¢ per bottle.

Bottles containing less than 12 ozs. 17¢ per gallon prorated to the amount in the bottles.

Draft Beer and Ale

6-oz. glass, 1¼¢ per glass.

8-oz. glass, 1½¢ per glass.

10-oz. glass, 1¾¢ per glass.

12-oz. glass, 1¾¢ per glass.

All other quantities, 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds ½¢, the fraction may be increased to the next higher cent, but if it is less than ½¢, the fraction must be reduced to the next lower cent.

All other taxes are included in the above prices.

[F. R. Doc. 45-11520; Filed, June 28, 1945; 4:04 p. m.]

[Region VII Order G-6 Under Order 1444 of MPR 188]

LLOYD V. WESTBY & SONS ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-6 is issued.

(a) *What this order does.* This Order No. G-6 establishes maximum prices for a rocking horse manufactured by Lloyd V. Westby & Sons, 530 South Curtis Street, Littleton, Colorado, when sold by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-6, maximum prices for the toy item, which is by the manufacturer designated "Rocking Horse, Model No. 101", manufactured by Lloyd V. Westby & Sons of Littleton, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

- | | |
|--|--------|
| (1) When sold by the manufacturer, <i>Each</i> f. o. b. shipping point, to a jobber or a wholesaler..... | \$3.82 |
| (2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point to a retailer..... | 4.77 |
| (3) When sold by any seller to an ultimate consumer or user..... | 7.95 |

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-5 to a person who purchases

for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-6 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Rocking Horse, Model No. 101, are:

- | | |
|---|--------|
| (1) When sold by the manufacturer, <i>Each</i> a jobber, or a wholesaler, f. o. b. shipping point, to a retailer..... | \$4.77 |
| (2) When sold by any seller to an ultimate consumer or user..... | 7.95 |

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-6 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-6 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-6 shall become effective on the 20th day of June 1945.

Issued this 20th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11523; Filed, June 28, 1945; 4:06 p. m.]

[Region VII Order G-20 Under MPR 188]

MERRILL ENGINEERING LABORATORIES ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-20 is issued.

(a) *What this order does.* This Order No. G-20 establishes maximum prices for a gun thong manufactured by Merrill Engineering Laboratories, 1240 Lincoln Street, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and

when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-20, the maximum prices for the gun thong manufactured by Merrill Engineering Laboratories, 1240 Lincoln Street, Denver, Colorado, in accordance with the specifications set forth in the application of said Merrill Engineering Laboratories on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or wholesaler: \$1.50 per dozen.

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer: \$2 per dozen.

(3) When sold by any seller to an ultimate consumer or user: 25¢ each.

NOTE: (i) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within ten days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-20 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-20 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this gun thong are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer: \$2 per dozen.

(2) When sold by any seller to an ultimate consumer or user: 25¢ each.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-20 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-20 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Ad-

ministrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-20 shall become effective on the 18th day of June 1945.

Issued this 18th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11524; Filed, June 28, 1945;
4:06 p. m.]

[Portland Order G-21 Under 18 (c)]

FIREWOOD IN KLAMATH FALLS COUNTY, OREG.

For the reasons set forth in the opinion issued simultaneously herewith, and under authority vested in the Portland District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of Region VIII, it is hereby ordered:

(a) The maximum prices for sales and deliveries at retail in Klamath Falls County, Oregon, of the types and kinds of firewood specified in this Order No. G-21 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation issued thereto are hereby adjusted to the maximum prices provided in this Order G-21.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below: (1) "Sale at retail" means a sale to an ultimate consumer, other than an industrial or commercial user.

(2) "City of Klamath Falls Area" means the City of Klamath Falls, Oregon, including the area within 3 miles of the City Hall of said city as measured by road distance by the most direct route.

(3) "Green slabwood" means mill run slabwood, mixed block and slabwood, or mixed slabwood and edgings.

(4) "Dry slabwood" means slabwood which is generally recognized by the trade and by consumers as being dry, and which has been piled and air dried for a period of not less than ninety days.

(c) *Maximum prices.* (1) The maximum prices for sales at retail by any seller of the kind and type of firewood, described in Table I set forth below, which was obtained from a mill located in Klamath County, Oregon, when delivered to the premises of a purchaser located in the "City of Klamath Falls Area" shall be the prices set forth in said Table I:

TABLE I

Type of firewood and maximum price per cord (delivered to the premises of the ultimate consumer in the "City of Klamath Falls Area")

16" green pine slabwood.....	\$5.50
16" green fir slabwood.....	6.50
12" green pine slabwood.....	6.00
12" green fir slabwood.....	7.00
16" dry pine slabwood.....	8.50
16" dry fir slabwood.....	9.50
12" dry pine slabwood.....	9.00
12" dry fir slabwood.....	10.00

(2) The maximum prices for sales at retail by any seller of the kinds and types of firewood, described in Table I set forth above, which was obtained from a mill located outside Klamath Falls County, Oregon, when delivered to the premises of a purchaser located in the "City of Klamath Falls Area" shall be the prices set forth in said Table I for the kind and type of firewood sold plus \$1.00 per cord.

(3) The maximum prices for sales at retail by any seller of the kinds and types of firewood, described in Table I set forth above, delivered to any place other than the premises of the purchaser shall be prices determined under paragraph (c) (1) or (c) (2), depending on the mill location from which the firewood is obtained, less \$1.00 per cord.

(4) The maximum prices for sales at retail by any seller of the kinds and types of firewood, described in Table I set forth above, delivered to the premises of a purchaser located outside the "City of Klamath Falls Area" shall be prices determined under paragraphs (c) (1) or (c) (2), depending on the mill location from which the firewood is obtained, plus the seller's March 1942 price differential for sales outside of the "City of Klamath Falls Area."

(d) *Evasions.* No seller subject to this Order No. G-21 shall evade any of the provisions thereof by changing the customary allowances, discounts, or other price differentials unless such change shall result in a lower price.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this Order shall give the purchaser or his agent, at the time of sale, an invoice or other memorandum of sale, which shall show:

- (1) The date of sale,
- (2) The name and address of the buyer and seller,
- (3) The quantity of firewood sold,
- (4) A description of the firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e. old or second growth, or hardwood, and the length of the pieces of wood).
- (5) Place of sale, and
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, and such copy shall be made available for inspection by the Office of Price Administration.

(f) *Area covered.* This order shall apply to Klamath Falls County, Oregon.

(g) This order may be revoked, amended, or corrected at any time.

This order shall become effective June 14, 1945.

NOTE: The record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1945.

McDANNELL BROWN,
District Director.

[F. R. Doc. 45-11522; Filed, June 28, 1945;
4:04 p. m.]

[Spokane Order 78B Under MPR 426]

CARROTS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Spokane, Wash.
(d) Method of transportation: Carlot.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.91 per cwt.

	Per unit of sale	
	Per 72 bunches	Per lb. topped
(f) Freight charge by Method (d).....	\$0.79	-----
(g) Basing point cost.....	3.00	-----
(h) Protective services.....	.26	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.05	\$0.0426

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10599; Filed, June 15, 1945;
1:28 p. m.]

[Spokane Order 79B Under MPR 426]

CARROTS IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Or-

der of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot Spokane, \$0.91, LCL Pullman \$0.41.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.91 plus \$0.41.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d).....	\$1.16	-----
(g) Basing point cost.....	3.00	-----
(h) Protective services.....	.26	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.42	\$0.0470

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10598; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 80B Under MPR 426]

CARROTS IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is

set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot Spokane, LCL Wallace.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.91 plus \$0.51.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by method (d).....	\$1.24	-----
(g) Basing point cost.....	3.00	-----
(h) Protective services.....	.26	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.50	\$0.0479

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10597; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 81B Under MPR 426]

CARROTS IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing

point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: Carlot Portland, LCL Lewiston.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.905 plus \$0.98.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d).....	\$1.41	-----
(g) Basing point cost.....	3.00	-----
(h) Protective services.....	.26	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.60	\$0.0499

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10596; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 82B Under MPR 426]

CARROTS IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said Method (d) from said

basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: Carlot Portland, LCL Walla Walla.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.605 plus \$0.71.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d).....	\$1.17	-----
(g) Basing point cost.....	3.00	-----
(h) Protective services.....	.26	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	4.43	\$0.0471

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10595; Filed, June 15, 1945; 1:27 p. m.]

[Spokane Order 83B Under MPR 426]

CARROTS IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation;

and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Carrots.
(b) Basing point: Salinas, Calif.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: Carlot Portland, LCL Kennewick.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.605 plus \$0.51.

	Per unit of sale	
	Per 72 bunches	Per lb., topped
(f) Freight charge by Method (d).....	\$1.01	-----
(g) Basing point cost.....	3.00	-----
(h) Protective services.....	.26	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	4.27	\$0.045

This order shall become effective June 1, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-10594; Filed, June 15, 1945; 1:26 p. m.]

[Spokane Order 85B Under MPR 426]

CANTALOUPE IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Spokane.
(d) Method of transportation: Carlot.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.08.

	Per unit of sale	
	Standard crate, 68 lbs.	Per lb.
(f) Freight charge by Method (d).....	\$0.73	-----
(g) Basing point cost.....	3.25	-----
(h) Protective services.....	.34	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	4.32	\$0.063

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-11521; Filed, June 28, 1945; 4:04 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 23, 1945.

REGION VII

Albuquerque Order 8-F, Amendment 20, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:30 a. m.

Cheyenne Order 1-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 10:29 a. m.

Cheyenne Order 2-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 10:29 a. m.

Cheyenne Order 8-F, Amendment 7, covering fresh fruits and vegetables in the Laramie Area. Filed 10:30 a. m.

Cheyenne Order 48, Amendment 8, covering dry groceries in certain areas in Wyoming. Filed 10:29 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11515; Filed, June 28, 1945; 4:02 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 23, 1945.

REGION I

Boston Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:29 a. m.

Rhode Island Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 10:28 a. m.

REGION II

Pittsburgh Order 6-F, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:31 a. m.

Wilmington Order 2-O, covering eggs in the state of Delaware. Filed 10:31 a. m.

REGION III

Charleston Order 15-F, Amendment 13, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:28 a. m.

Charleston Order 16-F, Amendment 12, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:28 a. m.

Charleston Order 16-F, Amendment 13, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:27 a. m.

Charleston Order 17-F, Amendment 12, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:26 a. m.

Charleston Order 17-F, Amendment 13, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:26 a. m.

Cincinnati Order 4-F, Amendment 24, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 10:21 a. m.

Cincinnati Order 5-F, Amendment 24, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:20 a. m.

Cincinnati Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:20 a. m.

Cincinnati Order 23, Amendment 2, covering dry groceries. Filed 10:26 a. m.

Grand Rapids Order 14-F, (appendix A) Amendment 78, covering fresh fruits and vegetables. Filed 10:19 a. m.

Grand Rapids Order 14-F, (appendix B), Amendment 78, covering fresh fruits and vegetables. Filed 10:19 a. m.

Grand Rapids Order 14-F, (appendix C) Amendment 53, covering fresh fruits and vegetables. Filed 10:18 a. m.

Lexington Order 5-F, Amendment 12, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 10:25 a. m.

Lexington Order 6-F, Amendment 12, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 10:25 a. m.

Lexington Order 7-F, Amendment 12, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 10:25 a. m.

Louisville Order 12-F, Amendment 23, covering fresh fruits and vegetables in Jefferson County, Ky., and Clark and Floyd Counties, Ind. Filed 10:24 a. m.

Louisville Order 13-F, Amendment 23, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 10:24 a. m.

Louisville Order 14-F, Amendment 23, covering fresh fruits and vegetables in Davless and Henderson Counties, Kentucky. Filed 10:23 a. m.

Louisville Order 15-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:23 a. m.

REGION IV

Atlanta Order 7-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:22 a. m.

Birmingham Order 3-F, Amendment 22, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 10:31 a. m.

Charlotte Order 3-F, Amendment 20, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:22 a. m.

Charlotte Order 3-F, Amendment 21, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:21 a. m.

Charlotte Order 3-F, Amendment 22, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:21 a. m.

Columbia Order 7-F, Amendment 4, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 10:31 a. m.

Roanoke Order 11-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:18 a. m.

Roanoke Order 11-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:18 a. m.

Roanoke Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Virginia. Filed 10:17 a. m.

REGION V

Tulsa Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 10:30 a. m.

Tulsa Order 8-F, Amendment 17, covering fresh fruits and vegetables in Tulsa and Muskogee, Oklahoma. Filed 10:30 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11517; Filed, June 28, 1945; 4:03 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 25, 1945.

REGION II

Binghamton Order 4-O, covering eggs in certain counties in New York. Filed 9:30 a. m.

Buffalo Order 1-O, covering eggs in certain areas in New York. Filed 9:30 a. m.

Buffalo Order 2-O, covering eggs in certain areas in New York. Filed 9:29 a. m.

Buffalo Order 3-O, covering eggs in certain areas in New York. Filed 9:29 a. m.

Pittsburgh Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 9:29 a. m.

Pittsburgh Order 4-F, covering fresh fruits and vegetables in Allegheny County, Pennsylvania. Filed 9:28 a. m.

Wilmington Order 4-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Delaware. Filed 9:46 a. m.

REGION III

Saginaw Order 5-W, covering dry groceries in the Saginaw Area. Filed 9:42 a. m.

Saginaw Order 22, combined with Order 24, covering dry groceries in the Saginaw Area. Filed 9:43 a. m.

Saginaw Order 25, covering dry groceries in the Saginaw Area. Filed 9:43 a. m.

REGION VII

Cheyenne Order 3-C, Amendment 3, covering poultry in Fremont County. Filed 9:42 a. m.

Cheyenne Order 4-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 9:41 a. m.

Cheyenne Order 5-C, Amendment 3, covering poultry in certain counties in Wyoming. Filed 9:41 a. m.

Cheyenne Order 6-C, Amendment 3, covering poultry in Niobrara County. Filed 9:41 a. m.

REGION VIII

Fresno Order 1-F, Amendment 74, covering fresh fruits and vegetables in Fresno. Filed 9:40 a. m.

Fresno Order 2-F, Amendment 62, covering fresh fruits and vegetables in Modesto. Filed 9:40 a. m.

Fresno Order 3-F, Amendment 59, covering fresh fruits and vegetables in certain areas in California. Filed 9:40 a. m.

Fresno Order 4-F, Amendment 34, covering fresh fruits and vegetables in certain areas in California. Filed 9:40 a. m.

Fresno Order 6-F, Amendment 45, covering fresh fruits and vegetables in Bakersfield and Kern County, California. Filed 9:39 a. m.

Fresno Order 7-F, Amendment 24, covering fresh fruits and vegetables in Merced. Filed 9:39 a. m.

Fresno Order B4, Amendment 1, covering dry groceries in the Bakersfield Area. Filed 9:46 a. m.

Portland Order 5-F, Amendment 28, covering fresh fruits and vegetables in Eugene. Filed 9:46 a. m.

Portland Order 6-F, Amendment 28, covering fresh fruits and vegetables in Roseburg, Sutherlin and Oakland, Oregon. Filed 9:46 a. m.

Portland Order 7-F, Amendment 27, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:46 a. m.

Portland Order 8-F, Amendment 27, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:46 a. m.

Portland Order 9-F, Amendment 27, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 10-F, Amendment 26, covering fresh fruits and vegetables in Kelso, W. Kelso and Longview, Washington. Filed 9:45 a. m.

Portland Order 12-F, Amendment 24, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 9:45 a. m.

Portland Order 13-F, Amendment 24, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 16-F, Amendment 17, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:45 a. m.

Portland Order 17-F, Amendment 17, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 19-F, Amendment 15, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:45 a. m.

Portland Order 20-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 27-F, Amendment 13, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 9:44 a. m.

Portland Order 28-F, Amendment 13, covering fresh fruits and vegetables in Hanley, Walla, Enterprise, Oregon. Filed 9:44 a. m.

Portland Order 29-F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 30-F, Amendment 4, covering fresh fruits and vegetables in Vancouver, Washington and certain areas in Oregon. Filed 9:44 a. m.

Portland Order 31-F, Amendment 2, covering fresh fruits and vegetables in Hood River - Clatskanie - McMinnville, Oregon - Camas, Wash. Filed 9:43 a. m.

Seattle Order 1-W, Amendment 13, covering dry groceries in certain areas in Washington. Filed 9:32 a. m.

Seattle Order 6-F, Amendment 38, covering fresh fruits and vegetables in Seattle and Bremerton, Washington Area. Filed 9:35 a. m.

Seattle Order 7-F, Amendment 35, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:35 a. m.

Seattle Order 8-F, Amendment 33, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:35 a. m.

Seattle Order 9-F, Amendment 33, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:35 a. m.

Seattle Order 10-F, Amendment 32, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:35 a. m.

Seattle Order 11-F, Amendment 32, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 9:34 a. m.

Seattle Order 12-F, Amendment 32, covering fresh fruits and vegetables in the Aberdeen, Washington Area. Filed 9:34 a. m.

deen and Hoquiam, Washington Area. Filed 9:34 a. m.

Seattle Order 13-F, Amendment 33, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 9:34 a. m.

Seattle Order 14-F, Amendment 34, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 9:34 a. m.

Seattle Order 15-F, Amendment 31, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 9:34 a. m.

Seattle Order 30, Amendment 6, covering fresh fruits and vegetables in certain areas in Washington. Filed 9:33 a. m.

Seattle Order 32, Amendment 6, covering dry groceries in certain counties in Washington. Filed 9:33 a. m.

Seattle Order 33, Amendment 6, covering dry groceries in certain counties in Washington. Filed 9:32 a. m.

Spokane Order 1-P, Amendment 1, covering fresh fish and seafood in certain areas of Spokane County, Washington. Filed 9:42 a. m.

Spokane Order 8-F, Amendment 20, covering fresh fruits and vegetables in Spokane County, Washington. Filed 9:32 a. m.

Spokane Order 9-F, Amendment 20, covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 9:31 a. m.

Spokane Order 10-F, Amendment 19, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho. Filed 9:31 a. m.

Spokane Order 11-F, Amendment 19, covering fresh fruits and vegetables in Latah County, Idaho, and Whitman County, Washington. Filed 9:31 a. m.

Spokane Order 12-F, Amendment 20, covering fresh fruits and vegetables in Asotin County, Washington, and Nez Perce County, Idaho. Filed 9:31 a. m.

Spokane Order 13-F, Amendment 21, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Washington. Filed 9:30 a. m.

Spokane Order 14-F, Amendment 21, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 9:30 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11516; Filed, June 28, 1945;
4:03 p. m.]

[Region VII Order G-19 Under MPR 188]

BONHAM CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.148 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-19 is issued.

(a) *What this order does.* This Order No. G-19 establishes maximum prices for a utility cart manufactured by The Bonham Company, 222 West Seventeenth South, Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this

Order No. G-19, the maximum prices for the utility cart, which is by the manufacturer designated Utilita Cart, Model A, manufactured by The Bonham Company, 222 West Seventeenth South, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said The Bonham Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Each
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	\$2.50
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer.....	3.33
(3) When sold by any seller to an ultimate consumer or user.....	4.95

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within ten days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-19 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-19 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this Utilita Cart, Model A, are:

	Each
(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	\$3.33
(2) When sold by any seller to an ultimate consumer or user.....	4.95

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-19 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-19 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-19 shall become effective on the 14th day of June 1945.

Issued this 14th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11343; Filed, June 26, 1945;
4:41 p. m.]

[Spokane Order 86B Under MPR 426]

CANTALOUPE IN PULLMAN, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Cantaloupes.
(b) Basing point: El Centro, California.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot to Spokane, i.e.l. Pullman.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.08 plus \$0.41.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d).....	\$1.01	
(g) Basing point cost.....	3.25	
(h) Protective services.....	.34	
(i) Maximum price in wholesale receiving point (sum of "f," "g" and "h").....	4.60	\$0.675

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-11618; Filed, June 29, 1945;
4:45 p. m.]

[Spokane Order 87B Under MPR 426]

CANTALOUPE IN WALLACE, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot to Spokane l. c. l. Wallace.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.08 plus 51¢=\$1.59.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d).....	\$1.09	-----
(g) Basing point cost.....	3.25	-----
(h) Protective services.....	.34	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.68	\$0.069

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-11619; Filed, June 29, 1945;
4:45 p. m.]

[Spokane Order 88B Under MPR 426]

CANTALOUPE IN KENNEWICK, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by

No. 131—12

section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Kennewick, Washington.
(d) Method of transportation: Carlot to Walla Walla, l. c. l. Kennewick.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.08 plus \$0.32.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d).....	\$0.95	-----
(g) Basing point cost.....	3.25	-----
(h) Protective services.....	.34	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.54	\$0.675

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-11620; Filed, June 29, 1945;
4:45 p. m.]

[Spokane Order 89B Under MPR 426]

CANTALOUPE IN WALLA WALLA, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Cantaloupes.
(b) Basing point: El Centro, Calif.
(c) Wholesale receiving point: Walla Walla, Wash.
(d) Method of transportation: Carlot.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$0.93 cwt.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d).....	\$0.73	-----
(g) Basing point cost.....	3.25	-----
(h) Protective services.....	.34	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.32	\$0.063

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
District Director.

[F. R. Doc. 45-11621; Filed, June 29, 1945;
4:44 p. m.]

[Spokane Order 90B Under MPR 426]

CANTALOUPE IN LEWISTON, IDAHO

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and

generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Cantaloupes.
 (b) Basing point: El Centro, Calif.
 (c) Wholesale receiving point: Lewiston, Idaho.
 (d) Method of transportation: Carlot to Portland, I. c. I. Lewiston.
 (e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.51 per cwt.

	Per unit of sale	
	Per standard crate of 68 lbs.	Per lb.
(f) Freight charge by Method (d).....	\$1.02	-----
(g) Basing point cost.....	3.25	-----
(h) Protective services.....	.34	-----
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h").....	4.61	\$0.675

This order shall become effective June 5, 1945, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1945.

DAVE S. COHN,
 District Director.

[F. R. Doc. 45-11622; Filed, June 29, 1945; 4:44 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 22, 1945.

REGION I

Rhode Island Order 2-O, covering eggs in certain areas in Rhode Island. Filed 4:10 p. m.

REGION II

Baltimore Order 4-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:52 p. m.

Baltimore Order 6-F, Amendment 41, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:52 p. m.

Baltimore Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Maryland. Filed 3:51 p. m.

Baltimore Order 8-F, Amendment 22, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 3:51 p. m.

Baltimore Order 9-F, Amendment 4, covering fresh fruits and vegetables in Garrett County, Maryland. Filed 3:51 p. m.

Baltimore Order 11-W, Amendment 1, covering dry groceries in Baltimore City, Maryland. Filed 3:51 p. m.

Baltimore Order 35, Amendment 2, covering dry groceries in Baltimore City, Maryland. Filed 3:51 p. m.

Baltimore Order 39, Amendment 1, covering dry groceries in Baltimore City, Maryland. Filed 3:51 p. m.

Binghamton Order 6-O, covering eggs in certain counties in New York. Filed 3:53 p. m.

Camden Order 3-F, Amendment 36, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:53 p. m.

Camden Order 4-F, Amendment 36, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 3:53 p. m.

Scranton Order 4-F, Amendment 28, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:50 p. m.

Syracuse Order 3-F, Amendment 35, covering fresh fruits and vegetables in certain areas in New York. Filed 3:53 p. m.

Syracuse Order 4-F, Amendment 23, covering fresh fruits and vegetables in certain areas in New York. Filed 3:52 p. m.

Trenton Order 12-F, Amendment 12, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:44 p. m.

REGION III

Cincinnati Order 8-W, covering dry groceries in certain areas in Ohio. Filed 3:56 p. m.

Cincinnati Order 8-W, Amendment 1, covering dry groceries in certain areas in Ohio. Filed 3:56 p. m.

Cincinnati Order 22, covering dry groceries in the sixteen counties in the Cincinnati Area. Filed 4:10 p. m.

Cincinnati Order 22, Amendment 1, covering dry groceries in the sixteen counties in the Cincinnati Area. Filed 3:57 p. m.

REGION IV

Nashville Order 2-C, Amendment 3, covering poultry in the Nashville Area. Filed 3:59 p. m.

Nashville Order 11-0, covering eggs in the Nashville Area. Filed 3:59 p. m.

Nashville Order 12-0, covering eggs in the Nashville Area. Filed 3:59 p. m.

Nashville Order 13-0, covering eggs in the Nashville Area. Filed 3:59 p. m.

Nashville Order 14-0, covering eggs in the Nashville Area. Filed 3:58 p. m.

Nashville Order 15-0, covering eggs in the Nashville Area. Filed 3:58 p. m.

Nashville Order 16-0, covering eggs in the Nashville Area. Filed 3:58 p. m.

Nashville Order 17-0, covering eggs in the Nashville Area. Filed 3:57 p. m.

Nashville Order 18-0, covering eggs in the Nashville Area. Filed 3:57 p. m.

REGION V

Dallas Order 1-F, Amendment 69, covering fresh fruits and vegetables in Dallas County, Texas. Filed 3:57 p. m.

Houston Order 1-C, Amendment 7, covering poultry in all counties in the Houston District. Filed 3:56 p. m.

Houston Order 2-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Houston. Filed 3:52 p. m.

Shreveport Order 2-F, Amendment 65, covering fresh fruits and vegetables. Filed 4:10 p. m.

Shreveport Order 3-F, Amendment 54, covering fresh fruits and vegetables. Filed 4:09 p. m.

REGION VI

Chicago Order 2-F, Amendment 66, covering fresh fruits and vegetables in certain counties in Illinois and Lake County, Indiana. Filed 4:09 p. m.

Green Bay Order 4-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 3:55 p. m.

Green Bay Order 5-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 3:55 p. m.

Green Bay Order 6-F, Amendment 17, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 3:55 p. m.

Springfield Order 13-F, Amendment 13, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 3:54 p. m.

Springfield Order 13-F, Amendment 14, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 4:07 p. m.

Springfield Order 14-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:54 p. m.

Springfield Order 14-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Illinois. Filed 4:06 p. m.

Springfield Order 15-F, Amendment 14, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 3:53 p. m.

Springfield Order 15-F, Amendment 15, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 4:06 p. m.

Springfield Order 18-F, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 4:06 p. m.

Milwaukee Order 8-F, Amendment 13, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 4:09 p. m.

Milwaukee Order 9-F, Amendment 13, covering fresh fruits and vegetables in Sheboygan and Fond du Lac Counties, Wisconsin. Filed 4:09 p. m.

Milwaukee Order 11-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 4:08 p. m.

Quad-Cities Order 2-F, Amendment 39, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 3:55 p. m.

Quad-Cities Order 2-F, Amendment 40, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 4:08 p. m.

Quad-Cities Order 3-F, Amendment 24, covering fresh fruits and vegetables in certain counties in Iowa, Illinois. Filed 4:08 p. m.

Sioux Falls Order 3-W, Amendment 5, covering dry groceries in certain areas in Iowa, Minnesota, South Dakota. Filed 4:07 p. m.

Sioux Falls Order 15, Amendment 6, covering dry groceries in certain areas in Iowa, Minnesota and South Dakota. Filed 4:08 p. m.

REGION VII

Helena Order 1-C, covering poultry in the Montana Area. Filed 4:00 p. m.

Helena Order 1-O, covering eggs in certain counties in Montana. Filed 4:00 p. m.

Helena Order 2-C, covering poultry in the Montana Area. Filed 4:00 p. m.

Helena Order 43-F, Amendment 3, covering fresh fruits and vegetables in Missoula and Kalispell. Filed 4:05 p. m.

Helena Order 44-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Montana. Filed 4:05 p. m.

Helena Order 45-F, Amendment 3, covering fresh fruits and vegetables in Billings, Great Falls and Butte, Mont. Filed 4:04 p. m.

Helena Order 46-F, Amendment 3, covering fresh fruits and vegetables in Glasgow, Glendive, Miles City and Sidney, Mont. Filed 4:01 p. m.

Helena Order 47-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Montana. Filed 4:01 p. m.

Helena Order 48-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Montana. Filed 4:00 p. m.

Helena Order 49-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Montana. Filed 4:00 p. m.

Helena Order 50-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Montana. Filed 4:00 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
 Secretary.

[F. R. Doc. 45-11645; Filed, June 30, 1945; 11:55 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 27, 1945.

REGION I

Augusta Order 2-O, covering eggs in the Maine Area. Filed 1:48 p. m.

Rhode Island Order 4-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 1:58 p. m.

REGION II

Altoona Order 1-O, covering eggs in certain areas in Pennsylvania. Filed 1:57 p. m.

Altoona Order 2-F, Amendment 24, covering fresh fruits and vegetables in the entire Altoona Area. Filed 1:51 p. m.

Altoona Order 2-O, covering eggs in certain areas in Pennsylvania. Filed 1:57 p. m.

Baltimore Order 4-F, Amendment 42, covering fresh fruits and vegetables in Baltimore and Suburban Communities. Filed 1:56 p. m.

Baltimore Order 6-F, Amendment 42, covering fresh fruits and vegetables in Hagerstown and surrounding areas. Filed 1:56 p. m.

Baltimore Order 8-F, Amendment 23, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 1:55 p. m.

Binghamton Order 2-F, Amendment 37, covering fresh fruits and vegetables in certain areas in New York. Filed 2:01 p. m.

Binghamton Order 3-O, covering eggs in certain counties in New York. Filed 1:45 p. m.

Binghamton Order 5-O, covering eggs in certain counties in New York. Filed 1:45 p. m.

Buffalo Order 3-F, Amendment 14, covering fresh fruits and vegetables in certain areas in New York. Filed 1:45 p. m.

Buffalo Order 4-F, Amendment 14, covering fresh fruits and vegetables in East Rochester, Rochester, Fairport and Pittsford. Filed 1:44 p. m.

District of Columbia Order 5-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Region II. Filed 1:49 p. m.

Newark Order 7-F, Amendment 9, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 1:55 p. m.

New York Order 3-O, covering eggs in the New York and Newark Area. Filed 2:01 p. m.

New York Order 4-O, covering eggs in parts of New York and Newark. Filed 2:01 p. m.

Philadelphia Order 2-O, covering eggs in Berks and Chester Counties, Pennsylvania. Filed 2:00 p. m.

Philadelphia Order 3-O, covering eggs in certain counties in Pennsylvania. Filed 2:00 p. m.

Philadelphia Order 6-F, Amendment 32, covering fresh fruits and vegetables in the city and county of Philadelphia, Pennsylvania. Filed 1:51 p. m.

Philadelphia Order 11-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 1:51 p. m.

Philadelphia Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 1:51 p. m.

Scranton Order 1-O, covering eggs in certain counties in Pennsylvania. Filed 1:49 p. m.

Scranton Order 2-O, covering eggs in certain counties in Pennsylvania. Filed 1:48 p. m.

Syracuse Order 2-O, covering eggs in certain counties in New York. Filed 2:00 p. m.

Syracuse Order 4-O, covering eggs in Herkimer and St. Lawrence Counties, New York. Filed 1:55 p. m.

Trenton Order 5-W, Amendment 2, covering dry groceries in the Trenton, New Jersey Area. Filed 1:59 p. m.

Trenton Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:00 p. m.

Trenton Order 37, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 1:59 p. m.

Williamsport Order 2-F, Amendment 42, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 1:54 p. m.

Williamsport Order 5-O, covering eggs in the entire counties of Elk and McKean, Pennsylvania. Filed 1:59 p. m.

Williamsport Order 6-O, covering eggs in certain counties in Pennsylvania. Filed 1:59 p. m.

Williamsport Order 7-O, covering eggs in certain counties in Pennsylvania. Filed 1:59 p. m.

REGION III

Lexington Order 13, Amendment 1, and Amendment 2 to Order 5-W, covering dry groceries in certain counties in Kentucky. Filed 1:46 p. m.

Toledo Order 10-C under Basic Order 1-B, Amendment 5, covering poultry in certain areas in Ohio. Filed 1:52 p. m.

REGION IV

Jackson Order 1-C, Amendment 5, covering poultry in the Mississippi Area. Filed 1:52 p. m.

Jackson Order 2-C, Amendment 5, covering poultry in the Mississippi Area. Filed 1:52 p. m.

Miami Order 1-f, Amendment 18, covering fresh fruits and vegetables in certain cities in Florida. Filed 1:58 p. m.

Miami Order 2-F, Amendment 17, covering fresh fruits and vegetables in certain cities in Florida. Filed 1:52 p. m.

Montgomery Order 1-C, Amendment 6, covering poultry in certain counties in Alabama. Filed 1:52 p. m.

Nashville Order 1-C, Amendment 3, covering poultry in all counties in the Nashville Area. Filed 1:51 p. m.

Nashville Order 1-C, Amendment 4, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 1-C, Amendment 5, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 2-C, Amendment 4, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 2-C, Amendment 5, covering poultry in all counties in the Nashville Area. Filed 2:02 p. m.

Nashville Order 6-W, Amendment 1, covering dry groceries in all counties in the Nashville Area. Filed 2:03 p. m.

Nashville Order 11-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:07 p. m.

Nashville Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:05 p. m.

Nashville Order 11-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:05 p. m.

Nashville Order 11-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 2:05 p. m.

Nashville Order 12-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Tennessee and Bristol, Virginia. Filed 2:04 p. m.

Nashville Order 12-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Virginia and Tennessee. Filed 2:04 p. m.

Nashville Order 18, Amendment 1, covering dry groceries in all counties in the Nashville Area. Filed 2:04 p. m.

Nashville Order 18, Amendment 2, covering dry groceries in all counties in the Nashville Area. Filed 2:04 p. m.

Nashville Order 19, Amendment 1, covering dry groceries in all counties in the Nashville Area. Filed 2:03 p. m.

Savannah Order 1-C, Amendment 3, covering poultry in all counties in the Savannah, Georgia Area. Filed 1:54 p. m.

Savannah Order 1-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:54 p. m.

Savannah Order 2-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:54 p. m.

Savannah Order 3-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 4-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 5-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 6-O, Amendment 1, covering eggs in certain counties in Georgia. Filed 1:53 p. m.

Savannah Order 7-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:02 p. m.

Savannah Order 9-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:01 p. m.

Savannah Order 10-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Georgia. Filed 2:01 p. m.

REGION V

Fort Worth Order 7-F, Amendment 13, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 1:43 p. m.

Fort Worth Order 8-F, Amendment 13, covering fresh fruits and vegetables in Taylor County, Texas. Filed 1:44 p. m.

Fort Worth Order 9-F, Amendment 13, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 1:44 p. m.

Fort Worth Order 10-F, Amendment 13, covering fresh fruits and vegetables in McLennan County, Texas. Filed 1:44 p. m.

Fort Worth Order 11-F, Amendment 13, covering fresh fruits and vegetables in Wichita County, Texas. Filed 2:06 p. m.

Houston Order 1-F, Amendment 60, covering fresh fruits and vegetables in certain areas in Texas. Filed 2:06 p. m.

Houston Order 3-F, Amendment 48, covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 2:06 p. m.

Kansas Order 4-F, Amendment 40, covering fresh fruits and vegetables in Wichita, Plainview, Beechwood and Wichita Heights. Filed 2:06 p. m.

Little Rock Order 2-F, Amendment 62, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 2:05 p. m.

Lubbock Order 3-F, Amendment 60, covering fresh fruits and vegetables in certain counties in Texas. Filed 1:50 p. m.

New Orleans Order 2-F, Amendment 78, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 1:50 p. m.

REGION VI

Des Moines Order 11, Amendment 3, covering poultry in certain counties in Iowa. Filed 1:57 p. m.

Des Moines Order 12, Amendment 3, covering poultry in the 64 counties in Iowa. Filed 1:57 p. m.

Des Moines Order 13, Amendment 3, covering poultry in the 64 counties in Iowa. Filed 1:57 p. m.

Des Moines Order 17, Amendment 6, covering poultry in the 64 counties in Iowa. Filed 1:58 p. m.

Duluth-Superior Order 1-F, Amendment 75, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 1:58 p. m.

Milwaukee Order 5, Amendment 7, covering butter and cheese in Milwaukee County and Racine and Kenosha, Wisconsin. Filed 1:50 p. m.

Milwaukee Order 12, Amendment 9, covering butter and cheese in certain counties in Wisconsin. Filed 1:50 p. m.

Milwaukee Order 31, Amendment 9, covering butter and cheese in certain counties in Wisconsin. Filed 1:49 p. m.

North Platte Order 1-F, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 1:49 p. m.

North Platte Order 44, Amendment 2, covering dry groceries in certain counties and cities in Nebraska. Filed 1:47 p. m.

North Platte Order 45, Amendment 2, covering dry groceries in certain counties in Nebraska. Filed 1:47 p. m.

Sioux City Order 2-F, Amendment 77, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska. Filed 1:49 p. m.

Twin Cities Order 1-F, Amendment 21, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 1:47 p. m.

Twin Cities Order C-2, covering poultry in certain areas in the Twin Cities District. Filed 1:47 p. m.

REGION VIII

Portland Order 1-W, Amendment 2, covering dry groceries in certain areas in the state of Washington. Filed 1:46 p. m.

Portland Order 2-W, and Amendment 8 to Order 20, covering dry groceries in the Portland Area. Filed 1:46 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-11741; Filed, June 30, 1945;
3:07 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 324]

RESTRICTION ON EMPTY CARS FOR SULLIVAN BOX FACTORY, SULLIVAN, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of June, A. D. 1945.

It appearing, that there is on hand an accumulation of railroad freight cars held for unloading by Sullivan Box Factory, Sullivan, Illinois, on the Illinois Central Railroad Company; that at the same time this shipper is ordering and the Illinois Central Railroad Company is furnishing and placing empty cars for outbound loading at the plant of Sullivan Box Factory; that the practice of Sullivan Box Factory of ordering empty cars for loading and failing to promptly unload cars on hand under load is contributing to the general shortage of equipment; the Commission is of opinion an emergency requiring immediate action exists at Sullivan, Illinois. It is ordered, that:

(a) *Inbound empty cars for Sullivan Box Factory, Sullivan, Illinois, restricted.* The Illinois Central Railroad Company shall not furnish or supply at Sullivan, Illinois, any empty railroad freight car for loading by or for Sullivan Box Factory on any day when a car or cars are on hand which are held for unloading by or for Sullivan Box Factory.

(b) *Effective date.* This order shall become effective at 12:01 p. m., June 30, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended,

or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476; sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).)

It is further ordered, that copies of this order and direction shall be served upon the Illinois Central Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11807; Filed, July 2, 1945;
11:10 a. m.]

[S. O. 325]

UNLOADING OF LIQUOR AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of June, A. D. 1945.

It appearing, that car C&NW 42568 containing liquor, now at Los Angeles, California, on the Union Pacific Railroad Company, shipped by Stacole Company, Chicago, Illinois, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; the Commission is of opinion an emergency exists requiring immediate action. It is ordered, That:

(a) Liquor at Los Angeles, California, be unloaded. The Union Pacific Railroad Company, its agents or employees, shall unload forthwith car C&NW 42568, containing liquor, now on hand at Los Angeles, California, consigned order—notify Norman Hanak, Los Angeles, California.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such car has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2).)

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Union Pacific Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-11808; Filed, July 2, 1945;
11:10 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1084]

PORTLAND GENERAL ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of June 1945.

Portland General Electric Company, a registered holding company, and a public-utility subsidiary of Portland Electric Power Company, also a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, or in the alternative a declaration pursuant to section 7 of the act, regarding the issuance and sale, at competitive bidding pursuant to Rule U-50 promulgated under the act, of \$34,000,000 principal amount of First Mortgage Bonds, due 1975, and the issuance and sale to banks of \$4,000,000 aggregate face amount of 2% 10-year serial notes, the interest rate and sale price of the bonds to be fixed by competitive bidding (the sale price to be not less than the principal amount nor more than 102.75% of such principal amount), and the proceeds from the sale of the bonds and notes, together with other funds of the company, to be used to redeem applicant's presently outstanding \$39,565,000 principal amount of First and Refunding Mortgage Bonds, 4½% Series, due September 1, 1960, at the redemption price of 102% of the principal amount thereof (\$40,356,300) plus accrued interest thereon to the date of redemption; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein, in which for reasons set forth therein, the filing was considered as a declaration pursuant to section 7:

It is ordered, That said declaration as amended be and hereby is permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and subject also to the further conditions:

1. That the proposed issuance and sale of the bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, jurisdiction being reserved by the Commission to impose such terms and conditions as may then be appropriate and to consider the price to be paid to Portland General Electric Company, the interest rate and the underwriter's compensation and allocation thereof;

2. That jurisdiction be reserved with respect to the legal fees and the fees of Stone & Webster Service Corporation.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11594; Filed, June 29, 1945;
2:18 p. m.]

[File Nos. 70-1087, 70-1088]

ASSOCIATED ELECTRIC CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June 1945.

In the matter of Associated Electric Company, Pennsylvania Electric Company, File No. 70-1087; Consolidated Natural Gas Company, The Peoples Natural Gas Company, File No. 70-1088.

Associated Electric Company ("Aelec"), a registered holding company, and Pennsylvania Electric Company ("Penelec"), a subsidiary thereof, having filed a joint declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 ("Act") and Rule U-44 promulgated thereunder, wherein it is proposed that Penelec sell all of its natural gas properties and related assets for a base consideration of \$1,194,825.98 in cash, subject to certain adjustments, to The Peoples Natural Gas Company ("Peoples"), a subsidiary of Consolidated Natural Gas Company ("Consolidated"), a registered holding company; and

Peoples having filed an application pursuant to section 6 (b) of the Act for exemption from the provisions of section 6 (a) thereof and section 12 (f) and Rule U-43 promulgated thereunder regarding the proposed issue and sale to Consolidated of 30,000 shares of its common capital stock, of the par value of \$100 per share, for a cash consideration of \$3,000,000, the proceeds from such sale to be used by Peoples to finance the acquisition of the natural gas properties of Penelec and to augment its working capital and finance its additions, replacements and improvements; and

Consolidated having filed an application-declaration pursuant to sections 9 (a) and 10 of the act with respect to the acquisition by it of the additional common capital stock to be issued by Peoples; and

Said applications and declarations having been consolidated and, after appropriate notice, a hearing having been held on such consolidated matters, the Commission having considered the record in this matter, and having made and filed its findings and opinion herein;

It is hereby ordered, That, pursuant to the applicable provisions of said act, said applications and declarations be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11595; Filed, June 29, 1945; 2:18 p. m.]

[File No. 70-1074]

KINGS COUNTY LIGHTING CO.

NOTICE OF AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 28th day of June 1945.

Kings County Lighting Company ("Kings"), a subsidiary of Long Island Lighting Company, a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to sections 6 (a), 6 (b) and 7 of the Public Utility Holding Company Act of 1935, regarding (1) the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$4,200,000 principal amount of its ----% First Mortgage Bonds, due 1975, the interest rate and redemption prices to be fixed by competitive bidding; *Provided, however*, If at competitive bidding the cost of money to applicant-declarant would be more than 3 1/10% per annum, applicant-declarant proposes to accept the terms of an extended agreement of purchase entered into with the John Hancock Mutual Life Insurance Company which has agreed to purchase, at the principal amount, and with an interest rate of 3 1/10% per annum, the \$4,200,000 principal amount of First Mortgage Bonds due 1975 or applicant-declarant; and (2) as interim financing, to be discharged with the proceeds of the issue and sale of its ----% First Mortgage Bonds, due 1975, the issue and sale, at a cash price of \$4,200,000, of its promissory note payable to the John Hancock Mutual Life Insurance Company in the principal amount of \$4,200,000, said note to be dated June 26, 1945, to mature not later than November 30, 1945, to bear interest at a rate of 1 1/2% per annum, and the proceeds thereof, together with treasury cash, to be used to redeem, on July 1, 1945, at the redemption price of 105% of principal amount, its outstanding \$4,211,000 principal amount of First Refunding Mortgage Gold Bonds, due July 1, 1954, of which \$2,389,000 bears interest at 5% and \$1,822,000 at 6 1/2%; and

Applicant-declarant having requested that the Commission enter an interim order relating solely to the proposed issue and sale of said promissory note; and

The Commission having on May 31, 1945, granted such request and entered an interim order permitting the declaration with respect to the issue and sale of said promissory note to become effective, and having reserved jurisdiction over (1) the payment of all fees and expenses incurred in connection with the issue and sale of said promissory note, and (2) all aspects of the issue and sale of said \$4,200,000 principal amount of the ----% First Mortgage Bonds of Kings County Lighting Company, due 1975 (Holding Company Act Release No. 5837); and

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that the hearing be reconvened for the purpose of completing the record with respect to the matters as to which jurisdiction has been reserved:

It is ordered, That the hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be reconvened on the 12th day of July, 1945, at 11 a. m., e. w. t., at the offices of the Securities and Ex-

change Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania and before the trial examiner heretofore designated to preside. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before July 10, 1945, his application therefor as provided in Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That, without limiting the scope of the issues to be considered at said hearing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of First Mortgage Bonds are solely for the purpose of financing the business of Kings County Lighting Company, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection therewith;

2. Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount;

3. The propriety of the proposed accounting treatment in respect of the proposed transactions on the books of applicant-declarant; and

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors or consumers and consistent with all applicable requirements of the act and of the rules thereunder, or, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11596; Filed, June 29, 1945; 2:18 p. m.]

H. L. SCHUH CO.

ORDER DENYING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June, A. D. 1945.

In the matter of Herman L. Schuh doing business as H. L. Schuh Co., Ashburn, Virginia.

Proceedings having been instituted pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether to deny registration to Herman L. Schuh, doing business as H. L. Schuh Co., and to determine whether pursuant to the said section to postpone the effective date of said registration until final determination upon the question of denial;

A hearing having been held after due notice, the Commission being duly advised in the premises and having this day issued its memorandum findings and opinion herein; on the basis of said findings and opinion,

It is ordered, That the said registration be and it hereby is denied.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11639; Filed, June 30, 1945;
11:22 a. m.]

[File Nos. 54-57, 59-57]

AMERICAN UTILITIES SERVICE CORP. ET AL.
NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of June 1945.

In the matter of American Utilities Service Corporation, File No. 54-57; American Utilities Service Corporation and its subsidiary companies, respondents; File No. 59-57.

The Commission having heretofore by its order dated June 21, 1944, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered, among other things, that American Utilities Service Corporation sever its relationship with Minnesota Utilities Company and Wisconsin Southern Gas Company by disposing in an appropriate manner, not in contravention of the applicable provisions of said act or the Rules and Regulations promulgated thereunder, of their ownership, control and holding of securities issued by and interests in such companies;

Notice is hereby given, That American Utilities Service Corporation has filed an application pursuant to section 11 (c) of the Public Utility Holding Company Act of 1935 requesting that the time for compliance with the order of the Commission, pursuant to section 11 (b) (1) of the act, dated June 21, 1944, be extended for an additional year;

All interested persons are referred to said application, which is on file in the offices of the Commission, for full details.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application;

It is ordered, That a hearing on the application under the applicable provisions of the act and the rules of the Commission thereunder be held on the 9th day of July 1945 at 11:00 A. M., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding, shall file with the Secretary of the Commission, on or before July 7, 1945, his request or application therefor as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that

purpose shall preside at such hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention be directed at the hearing to the following matters and questions:

(1) Whether American Utilities Service Corporation has exercised due diligence to comply with the Commission's order of June 21, 1944 pursuant to section 11 (b) (1) of the act;

(2) Whether an extension of an additional year for compliance with said order of June 21, 1944 pursuant to section 11 (b) (1) of the act is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to American Utilities Service Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11640; Filed, June 30, 1945;
11:22 a. m.]

[File No. 70-1093]

MIDLAND UTILITIES CO. AND HOBART LIGHT AND WATER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June, 1945.

In the matter of Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, Hobart Light & Water Company; File No. 70-1093.

Clarence A. Southerland and Jay Samuel Hartt, trustees of the Estate of Midland Utilities Company ("Trustees"), a registered holding company, and Hobart Light & Water Company ("Hobart"), a wholly-owned subsidiary thereof, having filed a joint application-declaration pursuant to sections 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, regarding the following proposed transactions:

The Trustees are the beneficial owners of all of the outstanding capital stock of Hobart which has been an inactive corporation since November 30, 1942 when it conveyed all its utility and other assets (excluding cash on hand) to Northern Indiana Public Service Company ("Northern"), a subsidiary of said Trustees, in consideration for 69,500 shares of the no par common stock of Northern (Holding Company Act Release No. 3888). By order dated October 24, 1944 (Holding Company Act Release No. 5317A), the Commission entered a

divestment order, requiring Midland Utilities Company, its Trustees, and Midland Utilities Company as reorganized, to divest themselves of direct and indirect interest in and control over certain properties and businesses, including those of Hobart.

The Trustees now propose to acquire from Hobart all of its assets consisting of said 69,500 shares of the common stock of Northern and cash on hand in the amount of \$6,798.57 (less such portion of said cash as may be necessary to pay the tax liabilities, other debts, and the expenses of the liquidation of Hobart, estimated as not exceeding \$600 in the aggregate) in full payment and satisfaction of demand notes of Hobart held by the Trustees in the principal amount of \$479,153.09, and accrued interest thereon to the date of consummation of the transaction. Accrued interest on said notes to March 31, 1945 amounts to \$135,760.96.

The application-declaration states that if the plan of reorganization of Midland Utilities Company is confirmed and finally effective prior to the transfer of the 69,500 shares of common stock of Northern by Hobart to said Trustees, the transfer of such shares will be made direct to Midland Utilities Company.

Applicants-Declarants have requested that the Commission enter an order finding the transfer of the 69,500 shares of common stock of Northern to the Trustees is necessary to effectuate the provisions of section 11 (b) of the act, and that such order conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations required by section 1808 (f) of the Internal Revenue Code, as amended.

Said application-declaration having been filed on May 29, 1945, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application under section 9 (a) and 10 of the Act that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the act and that the transaction involved has the tendency required by section 10 (c) (2) of the act, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration, pursuant to section 12 (f) of the act and Rule U-43 promulgated thereunder, to become effective;

It is hereby ordered, pursuant to said Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, That the aforesaid joint application-declaration be, and hereby is, granted and permitted to become effective forthwith.

It is further ordered, That the transfer by Hobart Light & Water Company

of said securities consisting of 69,500 shares of no par common stock of Northern Indiana Public Service Company evidenced by certificate No. C. O. 566 to the Trustees of the Estate of Midland Utilities Company, and/or upon order and direction of said Trustees, such transfer to be made directly to Midland Utilities Company, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to make effective the order of the Commission herein authorizing and permitting such transfers, and also the order of October 24, 1944, File Nos. 34-7 and 52-21, Release No. 5317A, Holding Company Act of 1935, in the proceedings for the reorganization of Midland Utilities Company.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11641; Filed, June 30, 1945;
11:22 a. m.]

[File No. 70-942]

CENTRAL NEW YORK POWER CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of June, 1945.

The Commission having by order dated November 7, 1944 (Holding Company Act Release No. 5391) granted the application, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, of Central New York Power Corporation, a public utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company, for exemption from the provisions of section 6 (a) and 7 of the act with respect to the issue and sale, in accordance with the competitive bidding requirements of Rule U-50 of \$48,000,000 principal amount of General Mortgage Bonds, 3% Series, due 1974; and

Central New York Power Corporation having filed a post-effective amendment to said application requesting leave to amend certain sections of the Supplemental Indenture dated as of October 1, 1944, entered into in connection with the aforementioned issue of bonds, in order to eliminate the allowance of cross credits between the Debt Retirement and Improvement Fund and the Maintenance Fund created therein; and

The Commission having examined said post-effective amendment and deeming it appropriate that said Supplemental Indenture be amended as requested by the applicant;

It is ordered, That the aforesaid application as amended by such post-effective amendment be, and hereby is, granted, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11642; Filed, June 30, 1945;
11:22 a. m.]

[File No. 68-51]

AMERICAN UTILITIES SERVICE CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

American Utilities Service Corporation, a registered holding company, having filed, on June 20, 1945, a declaration, and amendments thereto, pursuant to sections 11 (g) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder, in connection with the solicitation of proxies for the election of directors at a special stockholders' meeting to be held in July 1945; and

The last amendment to said declaration having been filed on June 27, 1945, and declarant having requested that effectiveness of such declaration, as amended, be accelerated; and

The Commission being fully advised in the premises and finding that it is in the public interest and in the interest of investors to permit said declaration, as amended, to become effective and to accelerate the effective date thereof;

It is ordered, That said declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11643; Filed, June 30, 1945;
11:22 a. m.]

[File No. 70-1092]

UNITED GAS IMPROVEMENT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June 1945.

The United Gas Improvement Company, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed a declaration, pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50, regarding the sale of its entire investment in Nashville Gas and Heating Company, consisting of 20,000 shares of common stock, par value \$100 per share (this being the total of such securities outstanding) for a base consideration of \$1,100,000 to Tennessee Natural Gas Lines, Inc., of Nashville, Tennessee; and

The United Gas Improvement Company having requested the Commission to issue an order exempting the proposed sale of the securities of Nashville Gas and Heating Company, pursuant to Paragraph (a) (5) of Rule U-50, from the competitive bidding requirements of paragraph (b) of said Rule, and having also requested the Commission to issue an appropriate order and findings in connection with said proposed sale of securities conforming to the requirements of Section 1808 of the Internal Revenue Code; and

Public hearings with respect to said declaration having been held after appropriate notice and the Commission having considered the record of the proceedings and having entered its findings and opinion herein; and

The Commission having found that the sale of the securities of Nashville Gas and Heating Company by The United Gas Improvement Company is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is ordered, That the declaration be permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the sale by The United Gas Improvement Company of the securities of Nashville Gas and Heating Company, consisting of 20,000 shares of common stock, par value \$100 per share, for a base consideration of \$1,100,000, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of The United Gas Improvement Company in view of section 1808 of the Internal Revenue Code.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11644; Filed, June 30, 1945;
11:23 a. m.]

[File Nos. 54-120, 59-34, 59-56]

NEW ENGLAND GAS & ELECTRIC ASSN., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of June 1945.

In the matters of New England Gas and Electric Association, File No. 54-120; New England Gas and Electric Association, et al., File No. 59-34; New England Gas and Electric Association, File No. 59-56.

New England Gas and Electric Association ("the Association"), a registered holding company, having filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, and other applicable sections of the act and the rules and regulations promulgated thereunder, for approval of a plan of recapitalization of the Association and of related and incidental transactions; and

The Commission having consolidated the proceeding in respect of said plan with proceedings heretofore instituted by the Commission under section 11 (b) (1) (File No. 59-56) and section 11 (b) (2) (File No. 59-34) of the act, with respect to the Association; and hearings having been held in such consolidated proceedings, and having been continued to June 28, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

Certain interested persons having requested that such continued hearing be postponed from June 28, 1945 to July 11, 1945, and the Commission having been advised that the Association, although not joining in such request, does not oppose it; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the hearing in this matter heretofore scheduled to reconvene on June 28, 1945, be, and hereby is, postponed to July 11, 1945, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11796; Filed, July 2, 1945;
9:32 a. m.]

[File No. 70-984]

CAPITAL TRANSIT CO.

SUPPLEMENTAL ORDER RELEASING AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

The Commission having issued its supplemental findings and opinion and supplemental order in the above-captioned proceedings on January 27, 1945, in which jurisdiction was reserved with respect to the payment of all legal fees and the fees of the financial adviser incurred in connection with the issuance and sale by Capital Transit Company of \$12,500,000 principal amount of its First and Refunding Mortgage Bonds, Series A, 4%, due December 1, 1964, and its unsecured bank loan in the principal amount of \$2,500,000; and

The Commission having examined the record herein, as amended, and finding that the following legal fees are not unreasonable for the services rendered in connection with said financing: Rathbone, Perry, Kelley & Drye, New York City, as attorneys for Capital Transit Company, in the amount of \$30,000; G. Thomas Dunlop, Washington, D. C., as attorney for Capital Transit Company, in the amount of \$5,000; Cahill, Gordon, Zachry & Reindel, New York City, as attorneys selected by Capital Transit Company for the purchasers, in the amount of \$17,500; and George E. Hamilton, Jr., Washington, D. C., as attorney for the indenture trustee, in the amount of \$2,500;

It is ordered, That jurisdiction be and the same is hereby released with respect to payment of the aforesaid legal fees in the amounts designated.

It is further ordered, That jurisdiction be and the same is hereby reserved with respect to the payment of the fees of the financial adviser for Capital Transit Company.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11797; Filed, July 2, 1945;
9:32 a. m.]

[File No. 70-1094]

MONTANA POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D. 1945.

The Montana Power Company, a subsidiary of American Power & Light Company, a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a declaration and amendments thereto under the Public Utility Holding Company Act of 1935, particularly sections 6 (a) (2) and 7 thereof, regarding (a) the reduction of the stated value for its common stock from \$49,633,300 to \$20,700,000 for the purpose of creating capital surplus in the amount of \$28,933,300 to be utilized in meeting certain orders of the Public Service Commission of Montana and the Federal Power Commission with respect to the company's accounts and (b) an increase in the stated capital of the preferred stock from \$15,869,773 to \$15,958,900 for the purpose of stating such capital for the preferred stock at the liquidating value thereof; and

A public hearing on said declaration, as amended, having been duly held and the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, That said declaration, as amended, be and the same hereby is, permitted to become effective, subject to the conditions contained in Rule U-24 and to the following additional term and condition:

The Montana Power Company shall not pay any dividends or make any distribution on, or purchase or otherwise acquire for value, any of its common stock, if after giving effect to any such payment, distribution, purchase or acquisition, the aggregate amount of such dividends, distributions, purchases, and acquisitions paid or made since December 31, 1944, including the amount then proposed to be distributed or expended for any such purpose, together with all other charges to earned surplus since December 31, 1944, exceeds the sum of the aggregate of credits to earned surplus since December 31, 1944.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11798; Filed, July 2, 1945;
9:32 a. m.]

[File No. 70-1096]

NORTHERN STATES POWER CO. (MINN.)
AND NORTHERN STATES POWER CO. (DEL.)

ORDER PERMITTING JOINT DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

Northern States Power Company (Delaware), a registered holding company,

and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration and amendment thereto pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the General Rules and Regulations promulgated thereunder, regarding a proposal to postpone until December 31, 1945 the payment of \$1,267,384.00, the balance of the installments due through 1944 on the principal of an open account indebtedness (now in the amount of \$7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota); and

It appearing from said declaration that a plan, as amended, has been filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said act for its liquidation and dissolution, which plan, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender to Northern States Power Company (Minnesota) of certain shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware)) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota) among the stockholders of Northern States Power Company (Delaware); and it appearing that a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the said plan and serve no useful purpose; and

Northern States Power Company (Minnesota) having agreed in said declaration that, pending the consummation of the plan, as amended and until December 31, 1945, or the date of such consummation (whichever shall be earlier), it will continue to segregate on its books \$1,267,384.00 of its earned surplus as not being available for the declaration of dividends on its common stock; and declarants having further requested that Northern States Power Company (Minnesota) be permitted to waive all interest due on said indebtedness for the period from June 30, 1945 to December 31, 1945; and

Said joint declaration having been duly filed on May 31, 1945 and an amendment thereto having been filed on June 13, 1945, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for a hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 and to the agreement with respect to the segregation of earned surplus by Northern States Power Company (Minnesota).

set forth in said joint declaration, as amended, that the said joint declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11799; Filed, July 2, 1945;
9:32 a. m.]

[File No. 70-1099]

MOUNTAIN STATES POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1945.

Mountain States Power Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed a declaration and amendments thereto, pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of \$7,500,000 principal amount of First Mortgage Bonds, Series due July 1, 1975, and the application of the net proceeds from the sale of said bonds together with general funds of declarant to the redemption of \$7,500,000 principal amount of its First Mortgage Bonds, 4¼% Series due 1965, presently outstanding, at the redemption price of 104% of the principal amount thereof plus accrued interest to date of redemption; and

A public hearing having been held, after appropriate notice, upon said declaration, as amended, the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That the declaration, as amended, be and the same is hereby permitted to become effective, subject to the conditions prescribed by Rule U-24, and subject to the further condition that the issue and sale of the bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been supplied by amendment and a further order shall have been entered, which order may contain such further terms and conditions as may then be deemed appropriate; jurisdiction is hereby reserved for the entry of such order and the imposition of such terms and conditions.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45-11800; Filed, July 2, 1945;
9:32 a. m.]

WAR FOOD ADMINISTRATION.

ATTORNEYS IN OFFICE OF THE SOLICITOR
DESIGNATION TO HOLD HEARINGS, TO SIGN
AND ISSUE SUBPENAS, AND TO ADMINISTER
OATHS OR AFFIRMATIONS

The "Designation of Persons to Hold Hearings, to Sign and Issue Subpenas,
No. 131—13

and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F. R. 14592), as amended (8 F. R. 16349; 9 F. R. 2925, 2934, 4965, 9774, 10546, 11247, 11286, 11786, 12995), is amended by amending paragraph (a) thereof to read as follows:

(a) In order to enable the Secretary of Agriculture and the War Food Administrator to discharge their respective duties under any and all statutes, executive orders, or directives, or any regulations, directives, or orders issued pursuant thereto, all persons now or hereafter employed as attorneys in the Office of the Solicitor, are hereby designated and authorized, when assigned by the Solicitor, or by his designated representative, to act as examiners, presiding officers, or referees in connection with any hearings held under the said statutes, orders, or directives: *Provided*, That no such attorney shall be assigned as examiner presiding officer, or referee in any proceeding in connection with which he has acted in an investigative or advocative capacity. As such examiners, presiding officers, or referees they are hereby authorized to conduct hearings under the said acts or orders in accordance with the applicable regulations and to perform all the duties and exercise all the powers including, but not limited to, the powers to administer oaths and affirmations and to issue notices of hearings which, under such regulations, are to be performed or exercised by such examiners, presiding officers, and referees.

Issued this 29th day of June 1945.

GROVER B. HILL,
Acting Secretary of Agriculture.
MARVIN JONES,
War Food Administrator.

[F. R. Doc 45-11770; Filed, June 30, 1945;
3:29 p. m.]

Office of Marketing Services.

MILK IN WASHINGTON, D. C., AREA

NOTICE OF PROPOSED AGREEMENT AND AMENDMENT

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed amended order, regulating the handling of milk in the Washington, D. C., marketing area, including a proposal to include that area in the State of Virginia known as the Arlington-Alexandria sales area.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp. 900.1 et seq.), notice is hereby given of the filing of this report of the Director of Marketing Services with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Washington, D. C., marketing area, to be made effective under the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601

et seq.). Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington 25, D. C., not later than the close of business of the 20th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Marketing Services through the issuance and publication in the FEDERAL REGISTER, on March 31, 1945, of a notice of hearing. Pursuant to such notice, the hearing was convened in Washington, D. C., on April 16, 1945.

This hearing included proposals affecting most of the major provisions of the order and a proposal to issue certain amendments in the form of an amended order. This report of a proposed amended order contains several provisions which are unchanged from the present order and other revisions which are made only to coordinate the various provisions.

The major issues developed at the hearing were concerned with (1) the expansion of the marketing area, (2) classification on a milk basis instead of on butterfat and skim milk, (3) an increase in the price of Class I milk, a reduction in the price of milk disposed of in cream and cottage cheese and some change in the surplus class price formula, (4) the establishment of a seasonal adjustment fund to encourage fall milk production, (5) clarification of the definition of producer, (6) the basis of allocating emergency milk and producer milk to each class use, (7) the butterfat differential to be used to adjust the basic prices, (8) the differential in price to be allowed at various distances from the market, (9) the definition of "Secretary," the statement of powers of the market administrator, and responsibility of the Secretary with respect to the activities of the Emergency Milk Committee, and (10) the adoption of a market-wide pool of payments to producers to replace the present individual-handler pool.

With respect to these proposals it is concluded that:

1. The Arlington-Alexandria area is a natural part of the Washington metropolitan marketing area and should be included in the definition of the marketing area. Milk received at plants in the District of Columbia is distributed to consumers in Virginia and consumers in the District are supplied from a plant located in the Virginia area.

2. The classification plan which was adopted as an emergency measure in May 1942, and revised somewhat in April 1943, is not suitable for continued use in the market. That plan included in one class all sales of milk, milk drinks, cream, and cottage cheese. The principal change necessary is the exclusion of cream and cottage cheese from the list of Class I products. These products may be purchased at a lower cost to handlers from outside sources under emergency permits. If producer milk which is available during some part of the year is to be used in these products, the price must compare more favorably with the emergency product. The value of milk used in cream and cottage cheese has been recognized as somewhat less

than the value of fluid milk. Under a classified price plan, this difference in value justifies a separate classification.

The method of accounting for milk in each class according to the amount of milk used to produce certain products is considered more suitable for the Washington market than the classification plan based on skim milk classes and a butterfat class. Producers have not enough milk to supply the entire fluid needs of the market. The milk classification plan offers the opportunity to handlers to minimize their unit product costs by utilizing both the butterfat and the skim milk obtained from producers' milk in the higher priced classes.

The classification of milk or cream moved to a dealer handling fluid products in another area should be considered Class I in the case of milk and Class II in the case of cream since the Washington market is so short of milk for Classes I and II use that such milk could, in most instances, be disposed of in those classes within the area. If such milk is actually surplus it can be disposed of to wholesale manufacturers and thus remove all doubt that it might be utilized in Class I or II products.

The proposal to classify plant loss in Class III would place an unwarranted burden upon dealers who have large fluid milk sales and operate their plants more efficiently than handlers who reported 2 percent and 3 percent plant losses. In a market where the use of milk is principally in Class I, any tolerance for plant loss would be compensated for in the over-all price to producers and such adjustment would be made in the Class I price.

3. The price of milk for consumption as fluid milk should be increased 5 cents per hundredweight and the price of milk used for cream and cottage cheese should be reduced 45 cents per hundredweight. The increase in the Class I price is calculated to offset the reduction in price of milk for cream and cottage cheese, with the same total return during 1945 as producers would receive under the one class \$4.00 price. The reduction in the price of milk for use in cream and cottage cheese will encourage handlers to use producer milk when it is available in these products.

An additional increase in the Class I price of 49 cents per hundredweight was proposed at the hearing and testimony with respect to the proposal was introduced on the record. No conclusion with respect to this proposal can be reported at this time.

The formula for the surplus class price should be retained with the same butterfat value but a reduction of about 9 cents in the skim value factor. This reduction is derived from the use of average sale price of nonfat dry milk solids for human consumption instead of the unweighted central market quotations. The proposed formula would reflect the price of spray as well as roller process nonfat dry milk solids. The further reduction in the skim milk factor with a compensating increase in the butterfat factor, as proposed in the hearing notice, is not recommended because such a change would result in a surplus cream price

higher than the reported cost of emergency cream purchased for fluid use.

4. A seasonal adjustment fund should be established to encourage greater production during the fall and winter months. Payments collected at a rate of 30 cents per hundredweight during April, May, and June would amount to probably about 35 cents per hundredweight in payments to be distributed on October 15, November 15, and December 15. The need for greater production in the fall months is necessary to meet local demand for fluid sales during those months.

During 1944, milk received from producers was sufficient to more than meet the demand for fluid sales within the market during April, May, and June, whereas the local supply was 12 percent short of local demand in September, October, and November.

5. The definition of "producer" should be revised to accomplish more directly the intention to include as producers all persons who hold permits issued by the applicable health departments as a result of a farm inspection. The farm inspection was required on all milk until the emergency shortage in this area led to the importation of milk from farms not inspected by the local health departments. This permission to receive milk in the Washington market from farms not inspected by the local health department was considered by all witnesses to be a temporary measure.

6. Certain sales to the armed services under contract are not a regular part of the Class I business of handlers in this area. Such sales should be considered as emergency and up to the amount that such sales are supplied from emergency milk, such sales should not be allocated to milk received from producers.

Milk received from producers is eligible for the highest class uses of a handler and should be so allocated with the above exception. Although emergency milk is eligible in a technical sense for all class uses, it is clearly understood in the market that the emergency approval of such supplies is only temporary. Increased production of milk by producers qualified for the market is desirable in order to provide an adequate supply of milk which meets the standards promulgated by the health departments for the area. The allocation of producers' milk to the highest price use will encourage greater production than would be obtained if emergency milk were permitted to displace producers' milk in the highest price class.

7. The butterfat differential of 6 cents per one-tenth of 1 percent used in paying producers should reflect the value of differential butterfat disposed of in the market.

8. The differential affecting prices paid at a country plant in the Washington area must be allowed to permit fair competition with the prices paid producers for milk hauled directly to the city market. Producers delivering milk directly to the city market are obliged to bear the entire cost of hauling from the farm to the milk plant and producers delivering milk to a country station are obliged to bear the cost of hauling from the farm to the station. Therefore, in a

market where milk is shipped directly to the city plants from considerable distances, the rate of saving to the producer by the reduction of that haul should be allowed the handler who takes over that transportation cost. The milk now delivered to the plant 120 miles from the marketing area was hauled directly to the market for nearly 2 years and, therefore, that distance must be considered within the area from which milk can be satisfactorily shipped directly to the market.

A rate of 20 cents per truck mile would amount to 27 cents per hundredweight for a truck carrying 210 full cans, on a 240-mile trip. During December 1944 the receipts at the Cumberland, Maryland plant, 120 miles from Washington, averaged 210 cans per day. Receipts increased in January and February 1945 and were expected to increase further with a resulting decrease in the unit handling and transportation cost.

Since the question of a differential at a point beyond 35 miles from Washington has been raised, it would be practical to devise a graduated scale of allowances to affect other locations. A graduation of one cent more for every 10 miles over 35 would result in an allowance of 27 cents at a plant 120 miles from the market. This will reduce the price at that location 27 cents below the price which the handler reports that he has been paying at that point.

9. The definition of the "Secretary" should be revised to recognize that the War Food Administrator has been made responsible by Executive Order for carrying out the functions of the Agricultural Marketing Agreement Act of 1937. In order to promote uniformity in rule making and to recognize the duty of the market administrator, the statement of his powers should be amplified to include the making of rules and regulations. The procedure with respect to the relationship of the Secretary to the Emergency Milk Committee should be set forth more clearly.

10. The evidence does not support the inauguration of a market-wide pool at this time. Although there was testimony that the proposed classification system would introduce differences in the prices paid by various handlers, it was also stated that the producers' association which controls the sales of a large proportion of the producer milk has adopted an allocation system based upon sales. Such an allocation should reduce the differences in prices paid by handlers buying from the association. The foundation of the individual-handler pool has been the competition of handlers for producer supplies which causes the handler who pays a utilization price less than the market average to lose supplies, whereas the handler who has a higher utilization annexes them. This system has been operating in the Washington market since Order No. 45 became effective in February 1940. No evidence was introduced to show that it had been inequitable or unsatisfactory during this period.

The present proposal for a market-wide pool appears to be predicated, not upon the principle of sharing the surplus, but of sharing the Class I sales of

those handlers who do not have enough producer milk to meet their Class I needs. There is no plan proposed whereby all handlers in the market are to obtain an equal share of producers' milk for their Class I sales. The individual-handler pool operating as it has in the past will iron out these differences.

The following proposed amendments in the form of an amended order are recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because the proposals applicable to it would be the same as those set forth below with respect to the order, as amended and recommended to be amended.

§ 945.3 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture, or the War Food Administrator, or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Washington metropolitan marketing area," hereinafter referred to as the "marketing area," means (1) the territory within the boundary lines of the District of Columbia and (2) that territory in the State of Maryland included between the District of Columbia line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia line, thence northeasterly and thence northwesterly along said District line to Kenilworth Avenue, thence north on Kenilworth Avenue, to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, thence returning on Edmonston Road to Branchville Road, thence west on Branchville Road to Baltimore-Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzerott Road, then west on Metzerott Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Grosvenor Lane, thence west on Grosvenor Lane to

Old Georgetown Road, thence north on Old Georgetown Road to Bellsmill Road, thence west on Bellsmill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia line, and (3) that territory in the Commonwealth of Virginia included within the following boundaries:

Beginning at the junction of the westerly boundary of the Arlington County Line and the Potomac River, thence southwesterly along the said county line to its junction with Road 689, thence westerly on Road 689 to its junction with Road 695, thence southerly along Road 695 crossing Road 694 and Highway 7 to the junction of Road 695 and Road 650, thence southerly on Road 650 crossing Highway 211 and Highway 50 to its junction with Road 709, thence southeasterly on Road 709 to its junction with Road 710, thence southerly on Road 710 to its junction with Highway 236; thence from this point in a straight line southerly to the junction of Roads 617 and 620, thence southerly on Road 617 to its junction with Road 636, thence southerly along Road 636 to Highway 9, thence in a straight line southwesterly from the junction of Road 636 and Highway 9 to the junction of Roads 641 and 642 in Prince William County, thence southeasterly along Road 642 to Road 640, thence northeasterly along Road 640 to Road 639, thence easterly along Road 639 to Highway 9; thence southeasterly along Highway 9 to Highway 1, south of Woodbridge, thence cross Highway 1 and continue southeasterly along Road 637 to Dawson Beach, thence in a straight line due east to the Potomac River, thence up said river to its junction with the western boundary of the Arlington County line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, whom the applicable health department, as the result of a farm inspection and other applicable health department regulations, has approved as a qualified source of milk for consumption as milk, and who produces milk which is received at a plant disposing of milk for fluid consumption in the marketing area.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association of producers, who engages in such handling of milk, skim milk, or cream for fluid consumption in the marketing area as is in the current of interstate commerce, or which directly burdens, obstructs, or affects such commerce in milk and its products: *Provided*, That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members and (2) to have and to exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk delivered by producers, as defined in (e) of this section, for fluid sales or disposition in fluid form in the marketing area.

(k) "Emergency milk plant" means any milk plant other than a "producer milk plant".

(l) "Emergency milk" means all milk, skim milk, cream, cottage cheese, condensed milk, condensed skim milk, whole milk powder, and skim milk powder received at a producer milk plant from an emergency milk plant or from persons who are not producers.

(m) "Producer plant test" means the weighted average butterfat test of all producer milk received at a "producer milk plant" during a delivery period as determined by the market administrator.

(n) "Producer milk" means all milk received either directly or through another plant by a handler from producers as defined in (e) of this section.

§ 945.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof;

(2) Report to the Secretary complaints of violations of the provisions hereof; and

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by

the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 945.5, or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers—(a) Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 10th day after the end of each delivery period: (i) the receipts of milk at each producer plant from producers, including milk produced by such handler and the weighted average test thereof; (ii) the receipts and butterfat content of milk, skim milk, cream, and milk products at each producer milk plant for the account of a handler or a cooperative association, from each producer milk plant and each emergency milk plant; (iii) the utilization of all milk, skim milk, cream, and milk products received and the butterfat content of each use or product thereof; (iv) the receipts at each producer milk plant from new producers and the average test thereof; (v) the name and address of each new producer; (vi) the names of handlers from whom or to whom milk, skim milk, cream, and milk products was received or delivered; and (vii) the address of each emergency milk plant from which milk, skim milk, cream, and milk products was received at a producer milk plant.

(2) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator: (i) the name and address of such producer; (ii) the total pounds of milk delivered and the average butterfat test thereof; (iii) the farm scores and cattle scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area; and (iv) the number of days upon which deliveries were made.

(3) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll which shall show for each producer: (i) the total delivery of milk with the average butterfat test thereof; (ii) the premium rate paid; (iii) the net amount of payment made pursuant to § 945.10; and (iv) the deductions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section;

(2) The verification of the payments required by § 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, cream, and milk products received by such handlers; and

(4) Determining the utilization of milk, skim milk, cream, and milk products by the handler.

§ 945.6 *Classification of milk—(a) Milk to be classified.* All milk, skim milk, cream, and milk products received by each handler in his producer milk plant shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c) of this section, the classes of utilization shall be as follows:

(1) *Class I.* All milk, skim milk, cream, and milk products which are disposed of for fluid consumption as milk, skim milk, milk drinks, and buttermilk, and all milk not accounted for in Classes II and III.

(2) *Class II.* All milk, skim milk, cream, and milk products which are used in the manufacture of, or disposed of in, cottage cheese, pot cheese, or baker's cheese, and cream for fluid consumption.

(3) *Class III.* All milk, skim milk, cream, and milk products used in a producer milk plant as, or disposed of to a plant engaged in the wholesale manufacture of, ice cream and similar frozen dairy products and mixes therefor, butter, roller or spray nonfat dry milk solids, condensed milk, condensed skim milk, or cheese other than cottage, pot, or baker's cheese, and used as such.

(c) *Transfers of milk, skim milk, and cream.* (1) Milk and skim milk disposed of by a handler to a plant outside the area from which milk was disposed of as milk for fluid use outside the marketing area shall be classified as Class I, and cream disposed of by a handler to a plant outside the area from which milk or cream was disposed of for fluid use outside the marketing area shall be classified as Class II.

(2) Milk, skim milk, and cream transferred from one handler's producer milk plant to another handler's producer milk plant may be classified according to an agreement for use by such handlers: *Provided*, That an equivalent quantity of milk was used by the receiving handler in the class use agreed upon: *And provided further*, If either or both handlers have purchased emergency milk the agreement for classification must return to the producers at both plants the highest class utilization according to the rules for allocation of producer milk and emergency milk in § 945.6 (f) and (g).

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received at a producer milk plant, the burden rests upon the handler who received the milk directly from producers or from emergency milk plants to prove that it should not be classified as Class I.

(e) *Computation of milk in each class.* For each delivery period the mar-

ket administrator shall correct for mathematical errors the report submitted by each handler and compute from the corrected report the amount of Class I milk, Class II milk, and Class III milk as follows:

(1) Determine the total pounds of milk to be accounted for as follows: add into one sum (i) the total pounds of milk received from producers and handler's own farm production and (ii) the total pounds of milk, skim milk, and cream received, and the total pounds of milk, skim milk, and cream received in the form of other milk products, (a) from emergency milk plants and (b) from other producer milk plants.

(2) Determine the total pounds of butterfat to be accounted for as follows: (i) multiply by its average butterfat test the weight of the milk received from producers and handler's own farm production, and (ii) multiply by its weighted average butterfat test the weight of the milk, skim milk, cream, and milk products received (a) from emergency milk plants and (b) from other producer milk plants, and (iii) add the resulting amounts into one sum.

(3) Determine the total pounds of Class I as follows: (i) convert to pounds the quantity of milk, skim milk; buttermilk and milk drinks disposed of for fluid consumption and (ii) add to this amount any plus amount computed as follows: (a) Compute the pounds of butterfat contained in the pounds of Class I milk by multiplying the weight of each product by its average butterfat test and adding together the resulting amounts, (b) add to this amount the pounds of butterfat in Class II milk and Class III milk, (c) subtract the total pounds of butterfat thus computed from the total pounds of butterfat received computed pursuant to (2) of this paragraph, and (d) divide the difference in butterfat pounds by the producer plant test.

(4) Determine the total pounds of Class II milk as follows: (i) multiply the weight of the cream disposed of for fluid consumption and the cottage, pot, or baker's cheese each by its average butterfat test, add together the resulting amounts, and divide by the producer plant test; (ii) add to this amount any amount by which the total product pounds of cream disposed of for consumption as fluid cream and the pounds of cream and skim milk disposed of in cottage, not, or baker's cheese exceeds the amount computed pursuant to (i) of this subparagraph; and (iii) subtract from the amount computed pursuant to (ii) of this subparagraph any amount by which that amount when added to the amount of Class I milk determined pursuant to (3) of this paragraph exceeds the total pounds of milk received computed pursuant to (1) of this paragraph.

(5) Determine the total pounds of Class III milk as follows: (i) multiply the weight of each of the products of Class III milk by its average butterfat test, add together the resulting amounts, and divide by the producer plant test; (ii) add to this amount any amount by which the total product pounds of milk, skim milk, and cream disposed of in Class III products exceeds the amount computed pursuant to (i) of this subparagraph;

and (iii) subtract from the amount computed pursuant to (ii) any amount by which that amount when added to the amount of Class I milk determined pursuant to (3) of this paragraph and Class II milk determined pursuant to (4) of this paragraph exceeds the total pounds of milk received computed pursuant to (1) of this paragraph.

(f) *Allocation of producer milk.* (1) Producer milk received by a handler shall first be allocated to Class I but not to exceed the Class I pounds as determined, pursuant to (e) (3) of this section, less the pounds of milk allocated to Class I pursuant to the proviso in (g) of this section.

(2) Producer milk received by a handler in excess of such Class I utilization shall be allocated to Class II but not to exceed the Class II pounds as determined pursuant to (e) (4) of this section.

(3) Producer milk received by a handler in excess of such Class I and Class II utilization shall be Class III.

(g) *Allocation of emergency milk.* Emergency milk received at a producer milk plant shall be allocated to Class III milk, except that emergency milk may be allocated to Class II milk to the extent that Class II use exceeds the amount of all producer milk less the amount of producer milk classified as Class I milk, and emergency milk may be allocated to Class I milk only to the extent that the total amount of Class I milk exceeds the total amount of producer milk received: *Provided*, That emergency milk purchased as milk and disposed of to the armed services at delivery points more than 21 miles from the milestone in Washington, D. C., may be allocated to Class I milk, if the quantity of emergency milk allocated to such Class I sales does not exceed 90 percent of all the emergency milk received by such handler.

§ 945.7 *Minimum prices.*—(a) *Class prices.* Each handler shall pay not less than the following prices per hundredweight of 4 percent milk, subject to (g), (h), (i), and (j) of § 945.10 for milk received from producers and associations of producers at a producer milk plant:

(1) *Class I.* The price for Class I milk shall be \$4.05.

(2) *Class II.* The price for Class II milk shall be \$3.55.

(3) *Class III.* The price for Class III milk shall be the sum of the respective values of butterfat and skim milk calculated as follows by the market administrator:

(i) *Butterfat.* Add all weekly quotations (using the midpoint of any weekly range as one quotation) of approved sweet cream approved for "Pennsylvania only" and for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, as reported for each week ending within the month by the United States Department of Agriculture, divide by the number of quotations, subtract \$1.00, divide by 33.48, multiply by 4.

(ii) *Skim milk.* The weighted average selling price, wholesale, at manufacturers' plants, of all spray and roller dried nonfat milk solids for human consumption,

as published by the United States Department of Agriculture for the previous month shall be used in determining the skim price as follows:

Quotation per pound:	Class III skim value
\$0.065 or below	0
\$0.066 to \$0.075	\$0.07½
\$0.076 to \$0.085	.15
\$0.086 to \$0.095	.22½
\$0.096 to \$0.105	.30
\$0.106 to \$0.115	.37½
\$0.116 to \$0.125	.45
\$0.126 to \$0.135	.42½
\$0.136 to \$0.145	.60
\$0.146 to \$0.155	.67½
\$0.156 to \$0.165	.75
\$0.166 to \$0.175	.92½
\$0.176 to \$0.185	1.00

(b) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment, being made by any federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 945.8 *Application of provisions.*—(a) *Handlers who are also producers.* No provision hereof shall apply to a handler whose only sources of milk supply are receipts from his own production or from other handlers, except that such handler shall make reports to the market administrator at such time, to such extent, and in such manner, as the market administrator may request and shall permit the market administrator to verify such reports.

§ 945.9 *Determination and announcement of uniform prices.*—(a) *Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 12th day after the end of each delivery period, the market administrator shall announce the Class III price and the uniform price per hundredweight of 4 percent milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of milk received from producers as follows: (1) multiply the hundredweight of milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a); (2) add together the resulting amounts; (3) divide the result obtained by the total hundredweight of milk received from producers;

and (4) subtract for each of the delivery periods of April, May, and June, 30 cents per hundredweight and add for each of the delivery periods of September, October, and November the rate per hundredweight computed pursuant to § 945.10 (e).

(b) *Announcement of other market information.* As soon after the 11th day after the end of each delivery period as such information becomes available, the following data shall be announced publicly by the market administrator:

(1) The total pounds of milk and the butterfat contained therein received from producers and the total pounds of such milk allocated to each class.

(2) The total pounds of emergency milk, itemized by products, received at producer milk plants and the butterfat contained therein.

(3) The total sales of handlers of each product named in § 945.6, with the butterfat contained therein.

§ 945.10 *Payments for milk.*—(a) *Time and method of payment.* On or before the 14th day after the end of each delivery period, each handler shall make payments, subject to (b), (f), (g), (h), (i), and (j) of this section and subject to § 945.11 (b), for all milk received from producers, during the delivery period, at the prices announced pursuant to § 945.9 to each producer or association of producers: *Provided*, That payments due under this section to any producers who have given authority to a cooperative association to receive payment for their milk, shall be made to the cooperative association at the uniform price computed pursuant to § 945.9 (a) (1), (2) and (3) without the adjustment provided in (4) of § 945.9 (a), and such cooperative association shall make payments to the seasonal-adjustment fund for milk delivered by such producers during April, May, and June, and such cooperative association shall receive payments due such producers from the seasonal-adjustment fund for milk delivered during September, October, and November.

(b) Any handler may make uniform payments to producers in addition to the minimum payments required by this section: *Provided*, That such additional payments, except payments made to producers supplying special milk to handlers for premium sales, are made to all producers supplying such handler with milk.

(c) *Payments to the seasonal-adjustment fund.* On or before the 15th day after the end of each delivery period for April, May, and June each handler, except handlers who have made payments to a cooperative association pursuant to the proviso in (a) of this section, shall pay to the market administrator for the account of the seasonal-adjustment fund an amount of money equal to \$0.30 times the hundredweight of milk received from producers during the delivery period and cooperative associations which receive payments from handlers pursuant to the proviso in (a) of this section shall pay to the market administrator for the account of the seasonal-adjustment fund an amount of money equal to \$0.30 times the hundredweight of milk delivered by

the Cooperative association to handlers during the delivery period for producers who have given authority to the cooperative association to receive payment for their milk.

(d) *Seasonal-adjustment fund.* The market administrator shall establish and maintain a separate fund known as the seasonal-adjustment fund into which he shall deposit all payments made by handlers or cooperative associations pursuant to § 945.10 (c) and out of which he shall make all payments pursuant to § 945.10 (e): *Provided*, That payments due any handler or cooperative association shall be offset by payments due from such handler or cooperative association.

(e) *Payment out of the seasonal-adjustment fund.* (1) On or before the 12th day after the end of the delivery periods of September, October, and November, the market administrator shall compute a seasonal adjustment fund rate as follows: divide one-third of the aggregate amount paid to the seasonal-adjustment fund pursuant to § 945.10 (c) by the total hundredweight of producer milk delivered during the delivery period involved (September, October, or November).

(2) On or before the 15th day after the end of the delivery periods of September, October, and November the market administrator shall pay out of the seasonal-adjustment fund to each cooperative association an amount equal to the rate computed pursuant to (1) of this paragraph times the hundredweight of milk delivered to handlers during the delivery period by such association for producers who have given authority to such cooperative association to receive payment for their milk, and to each handler an amount equal to the rate computed pursuant to (1) of this paragraph times the hundredweight of milk received during the delivery period from producers other than those producers for whom a cooperative association receives payments pursuant to the proviso in paragraph (a) of this section.

(f) *Errors in payment.* Errors in making the payment prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

(g) *Butterfat content of milk received from producers.* The butterfat content of milk received from producers shall be determined by taking the average of not less than five separate butterfat tests made from fresh samples during each delivery period. The butterfat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(h) *Location adjustments to producers.* In making payments pursuant to (a) of this section handlers may deduct 18 cents per hundredweight with respect to milk received from producers at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from District of Columbia and 1 cent additional for each 10 miles in excess of 35 miles from the District of Co-

lumbia: *Provided*, That handlers may make such deduction on milk received at such plant by transfer of a truck route to such plant from another producer milk plant during the first four full delivery periods after such transfer, only if such milk was transferred from a plant at which a similar or greater deduction was permitted. If such milk was transferred from a plant at which no deduction or a smaller deduction was permitted, the smaller deduction or no deduction, as the case may be, must be used in computing payments until four full delivery periods have elapsed from the time of transfer.

(i) *Premiums to be paid by handlers.*

(1) In making payments pursuant to (a) of this section, handlers shall pay premiums on all milk received from producers at producer milk plants at rates per hundredweight determined by multiplying the applicable premium rates set forth in this paragraph for each producer's deliveries by the percentage of all milk received from producers by such handler which was classified in Class I and Class II. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments requiring permits to sell milk to handlers in the marketing area;

Farm score	With cattle score under 95	With cattle score 95 or over, but under 98	With cattle score 98 or over
Under 80.....	Per cent. \$0.00	Per cent. \$0.00	Per cent. \$0.00
80.0-84.9.....	.00	.03	.09
85.0-89.9.....	.02	.08	.14
90.0-94.9.....	.08	.14	.20
95.0-97.9.....	.20	.26	.32
Over 97.9.....	.31	.37	.43

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the score given them by the health department shall be considered the farm score for the purpose of applying premiums under the above schedule.

(j) Handlers may distribute the payments they are required to make to producers for milk received by them, on any uniform basis other than that specified above in this section, that is approved by the market administrator.

§ 945.11 *Expense of administration and marketing services.*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk and cream received by him from all sources except other handlers' producer milk plants, or produced by him, during such delivery period, or such lesser

amount, the exact amount to be determined by the market administrator subject to review by the Secretary. Each handler which is a cooperative association shall pay such prorata share of the expense of administration only on such milk and cream actually received at a producer milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers as permitted by § 945.10 (g), each handler shall pay to the market administrator an amount equal to one-half the cost of such tests of producer milk and the entire cost of such tests of emergency milk, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers, as permitted under § 945.10 (g), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such monies shall be used by the market administrator to pay the independent laboratory for the verification of weighing, sampling, and testing of milk received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense as set forth in this section.

§ 945.12 *Emergency milk committee.*

(a) At the application of handlers of more than 50 percent of the milk received from producers for sale in the marketing area, the Chief of the Dairy and Poultry Branch, Office of Marketing Services, War Food Administration (hereinafter referred to as Chief of Branch) may select a committee to be known as the "Emergency Milk Committee," all of whom may be selected from among the persons nominated in accordance with the procedure established by the Chief of Branch. The market administrator shall be a member of such committee and may act as chairman thereof.

(b) *Duties.* The Emergency Milk Committee may supervise the purchase and allocation of emergency milk and cream among handlers desiring to purchase such milk and cream through one or more importing agencies, and shall make rules and regulations subject to the approval of the Chief of Branch, with respect to such allocation of milk and cream and the distribution of the cost thereof.

§ 945.13 *Effective time, suspension, or termination.*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this amended order or any provision hereof whenever he finds that this amended order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This amended order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or determination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

§ 945.15 *Liability.* The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

This report filed at Washington, D. C., this 30th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-11768; Filed, June 30, 1945;
3:28 p. m.]

WAR PRODUCTION BOARD.

[C-378]

FROZEN FOOD REFRIGERATION CO., ET AL.
CONSENT ORDER

Frozen Food Refrigeration Company and Memphis War Industries, are partnership composed of J. W. P. Fleming and J. C. Woodson and Frozen Food Locker Construction Company, Inc., is a corporation of the State of Tennessee. Both partnerships and the corporation maintain their principal offices at 2165 Lathan Avenue, Memphis, Tennessee. The partnerships are engaged in the business, among other things, of producing insulated panels and parts necessary for the installation of frozen food locker plants, except the necessary refrigeration machinery. The Frozen Food Locker Construction Company, Inc., of which J. W. P. Fleming is president and treasurer and J. C. Woodson is secretary, is engaged in the business of the sale and installation of frozen food locker plants. During the period between July 31, 1944 and January 2, 1945 the two partnerships and the corporation together extended to suppliers the preference rating AA-3, together with allotment symbol V-9, provided for in Preference Rating Order P-43 and Priorities Regulation 23 for persons desiring to obtain materials for experimental purposes, to obtain 43 condensing units (of which they have 40 now on hand) to be used for purposes other than those authorized in said regulation and order. This constituted a violation of Preference Rating Order P-43 and Priorities Regulations No. 3 and No. 23.

J. W. P. Fleming and J. C. Woodson, the members of the two partnerships and the responsible officers of Frozen Food Locker Construction Company, Inc. admit the violation and, although denying wilfulness, do not care to contest this issue, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of J. W. P. Fleming and J. C. Woodson, partners, doing business as Frozen Food Refrigeration Company and Memphis War Industries and Frozen Food Locker Construction Company, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner: *It is hereby ordered*, That:

(a) J. W. P. Fleming and J. C. Woodson, partners, doing business as Frozen Food Refrigeration Company and Memphis War Industries and Frozen Food Locker Construction Company, Inc., shall not sell, deliver or install any one

of the 40 condensing units, obtained by the extension of the Preference Rating AA-3, allotment symbol V-9, except upon orders bearing a preference rating of AA-3 or higher, nor shall either of them extend any one of such preference rating orders of AA-3 or higher, upon which any of the 40 condensing units are sold, delivered or installed, for the purpose of replacing in their stock any of said units so sold, unless hereafter specifically authorized in writing by the War Production Board. Nothing contained herein shall prohibit the use of said condensing units for experimental purposes under the provisions of Priorities Regulation No. 23 and Preference Rating Order P-43.

(b) Nothing contained in this order shall be deemed to relieve J. W. P. Fleming and J. C. Woodson, individually or as partners, doing business as Frozen Food Refrigeration Company and Memphis War Industries and Frozen Food Locker Construction Company, Inc., whether doing business under said name or names, or otherwise, their and its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 29th day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11558; Filed, June 29, 1945;
11:11 a. m.]

[C-386]

H. P. HOOD AND SONS, INC.
CONSENT ORDER

H. P. Hood and Sons, Inc., a Massachusetts corporation engaged in the processing and distribution of dairy products in Cambridge, Massachusetts, began construction on January 6, 1945 on the premises at 735-737 Massachusetts Avenue, Cambridge, Massachusetts in excess of an authorization in the amount of \$3,000, granted by the War Production Board on August 18, 1944 to convert two adjacent stores into a restaurant involving construction required by the Department of Public Safety and certain remodeling work. The estimated cost for the complete job was approximately \$10,000, of which \$5,336 has already been spent including therein materials and projects not included in the War Production Board authorization and constituting a violation of War Production Board Conservation Order L-41. H. P. Hood and Sons, Inc. admits the violation of Order L-41 but denies that it was wilful and does not care to contest the issue of wilfulness.

Wherefore, upon the agreement and consent of H. P. Hood and Sons, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the ap-

proval of the Compliance Commissioner,
It is hereby ordered, That:

(a) Neither H. P. Wood and Sons, Inc., its successors or assigns, nor any other person, shall do any construction on the premises at 735-737 Massachusetts Avenue, Cambridge, Massachusetts including remodeling, altering or finishing the structure located at said premises unless hereafter specifically authorized in writing by the War Production Board.

(b) The above restrictions shall not apply to maintenance and repair as defined or governed by Conservation Order L-41, as amended from time to time, which involve no alterations, structural or otherwise, no change in design and no change in type or kind of materials.

(c) Nothing contained in this order shall be deemed to relieve H. P. Hood and Sons, Inc., its successors or assigns, from any restriction, prohibition, or provision

contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11811; Filed, July 2, 1945;
11:23 a. m.]